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**R E P O R T S**  
**FROM**  
**C O M M I T T E E S :**

*NINE VOLUMES.*

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—(4.)—

**FRESHWATER FISH PROTECTION;  
GOLD AND SILVER (HALL MARKING);  
CLARE COUNTY WRIT;  
PARLIAMENTARY AND MUNICIPAL ELECTIONS  
(HOURS OF POLLING);  
PARLIAMENTARY AND MUNICIPAL REGISTRATION BILL.**

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**Session**

**17 January — 16 August 1878.**

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13  
**VOL. XIII.**

*of* 1878.

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# REPORTS FROM COMMITTEES:

1878.

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### FOURTH VOLUME.

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R E P O R T  
FROM THE  
SELECT COMMITTEE  
ON  
FRESHWATER FISH PROTECTION  
BILL;  
TOGETHER WITH THE  
PROCEEDINGS OF THE COMMITTEE,  
AND  
M I N U T E S O F E V I D E N C E.

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*Ordered, by The House of Commons, to be Printed,  
2 July 1878.*

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*Ordered,—[Thursday, 11th April 1878]:—*THAT the FRESHWATER FISH PROTECTION BILL be committed to a Select Committee.

Committee nominated [*Wednesday, 15th May 1878*] of—

Sir Robert Buxton.	Mr. W. S. Stanhope.
Mr. Dillwyn.	Mr. Arthur Bass.
Mr. Rodwell.	Sir Matthew Ridley.
Mr. Dedds.	Sir Andrew Lusk.
Mr. James Duff.	Mr. Isaac.
Mr. Stafford Howard.	Mr. William Lowther.
Lord Muncaster.	Mr. Mundella.
Mr. Bristowe.	

THAT the Committee have power to send for Persons, Papers, and Records.

THAT Five be the Quorum of the Committee.

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## REPORT ON THE BILL.

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THE SELECT COMMITTEE to whom the FRESHWATER FISH PROTECTION BILL was referred, have considered the said Bill, and taken Evidence thereon, which they have agreed to Report to the House; and have gone through the Bill, and made Amendments thereunto.

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## R E P O R T.

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THE SELECT COMMITTEE to whom the FRESHWATER FISH PROTECTION BILL was referred;—HAVE agreed to the following REPORT :—

1. YOUR Committee are satisfied, from the evidence brought before them, that there is a general feeling in favour of the further preservation of trout and char, and of the preservation, so far as practicable, of the non-migratory fish, during the spawning season.

2. There has been a considerable diminution both in the quantity and size of fish of the latter kind during the last few years. And your Committee are of opinion that legislation is desirable to remedy this growing evil. This opinion is based upon considerations affecting both the supply of food and the reasonable advancement of a healthy and very popular sport.

3. As regards trout and char, your Committee think that Clause 5 of the Bill referred to them should be amended so as to secure (i.) that a close time shall be extended to trout and char in all waters in England and Wales; (ii.) that the provisions of the Salmon Fishery Acts should be extended so as to provide for the formation of Boards of Conservators in districts where trout and char are found.

4. As regards other fish, called in the Bill "freshwater fish," your Committee think the close season should be a fixed one, viz., from 15th March in each year to 15th June.

5. During this season it should be illegal, in accordance with sub-section 3 of the Bill referred to us, to "fish for, catch, &c.," and sub-section 4, to "buy, sell, or expose for sale, &c."

They think, however, that a proviso should be added, something to this effect : "Nothing in this sub-section shall apply to any person angling in any private water with the leave of the owner of such water, or in any public water under the jurisdiction of a Board of Conservators, with the leave of such board. Nor shall anything in this sub-section apply to the owner or owners of private waters where trout and char are specially preserved, destroying within such waters any kind of freshwater fish. Nor shall it affect the rights of the owner or owners in or over any inclosed water entirely within his or their possession."

6. There should also be a provision allowing the supply of fish for scientific purposes, or for bait.



7. In the same spirit, and desiring to avoid legislation which might be vexatious, your Committee would not recommend any detailed regulations as to the size of the mesh of nets, the prohibition of night netting, or the like ; but believe that a simple Act such as they propose would, though tentative, be to a very considerable extent efficacious and operative.

8. The provisions for the prohibition of the sale of fish, and against the use of dynamite, should apply generally. But the counties of Norfolk and Suffolk, with regard to which a special Act was obtained last Session, should be exempted from the other provisions of the Act.

9. It is important to enable conservators appointed under this Act, or the Salmon Acts, to exempt their district or any part of it from this close season, so far as regards the taking and killing of coarse fish.

10. In cases of conviction under Sub-section 4 and 5 of the Bill, power ought to be given to the justices to declare the fish and instruments used in their capture forfeited, and dealt with as the justices may order.

11. In order to carry out efficiently the provisions of the Bill, your Committee think it would be desirable to give some such power of search, upon the order of a justice, on sworn information, as is given in Clause 34 of the Salmon Fishery Act, 1861.

2 July 1878.

# PROCEEDINGS OF THE COMMITTEE.

*Thursday, 23rd May 1878.*

## MEMBERS PRESENT:

Mr. Isaac.  
Sir Matthew White Ridley.  
Mr. Rodwell.  
Sir Andrew Lusk.  
Mr. Arthur Bass.

Sir Robert Buxton.  
Mr. Stafford Howard.  
Lord Muncaster.  
Mr. W. S. Stanhope.

Sir MATTHEW WHITE RIDLEY was called to the Chair.

The Committee deliberated.

[Adjourned till Tuesday next, at Twelve o'clock.

*Tuesday, 28th May 1878.*

## MEMBERS PRESENT:

Sir MATTHEW WHITE RIDLEY in the Chair.

Mr. Mundella.  
Mr. Bristowe.  
Mr. Dillwyn.  
Sir Robert Buxton.  
Mr. W. S. Stanhope.  
Lord Muncaster.  
Mr. William Lowther.

Mr. Stafford Howard.  
Mr. Rodwell.  
Sir Andrew Lusk.  
Mr. Arthur Bass.  
Mr. James Duff.  
Mr. Isaac.

Mr. Walpole and Mr. Buckland were severally examined.

[Adjourned till Friday next, at Twelve o'clock.

*Friday, 31st May 1878.*

## MEMBERS PRESENT:

Sir MATTHEW WHITE RIDLEY in the Chair.

Mr. Rodwell.  
Mr. Mundella.  
Mr. Isaac.  
Sir Robert Buxton.  
Mr. Bristowe.

Mr. Dillwyn.  
Mr. James Duff.  
Mr. Stafford Howard.  
Sir Andrew Lusk.

Reverend Mr. Crawford, Mr. Sachs, Mr. Brougham, and Mr. Fell, were severally examined.

[Adjourned till Tuesday next, at Twelve o'clock.

*Tuesday, 4th June 1878.*

MEMBERS PRESENT :

Sir MATTHEW WHITE RIDLEY in the Chair.

Mr. Mundella.	Mr. Dillwyn.
Mr. Isaac.	Mr. William Lowther.
Mr. Dodds.	Mr. Stafford Howard.
Mr. Bristowe.	Mr. W. S. Stanhope.
Mr. Arthur Bass.	Mr. Rodwell.
Sir Andrew Lusk.	Sir Robert Buxton.

Mr. Savidge, Mr. E. Field, Mr. T. Guest, Mr. C. J. Greene, Mr. H. Jackson, Mr. Philip Geen, and Mr. B. Ghurney, were severally examined.

[Adjourned till Friday next, at Twelve o'clock.]

*Friday, 7th June 1878.*

MEMBERS PRESENT :

Sir MATTHEW WHITE RIDLEY in the Chair.

Mr. Mundella.	Sir Robert Buxton.
Mr. Stafford Howard.	Mr. Dodds.
Mr. Bristowe.	Mr. James Duff.
Mr. William Lowther.	Mr. Isaac.
Mr. Dillwyn.	Sir Andrew Lusk.
Lord Muncaster.	Mr. Rodwell.
Mr. Arthur Bass.	Mr. W. S. Stanhope.

Mr. F. Fane, Major Myles Sandys, Mr. Bartlett, Mr. Robertson, Mr. Carrington, Mr. Forster, Mr. Machell, and Mr. F. Buckland, were severally examined.

[Adjourned till Friday, 21st June, at Twelve o'clock.]

*Friday, 21st June 1878.*

MEMBERS PRESENT :

Sir MATTHEW WHITE RIDLEY in the Chair.

Sir Andrew Lusk.	Mr. Stafford Howard.
Mr. Mundella.	Mr. Arthur Bass.
Mr. Rodwell.	Mr. W. S. Stanhope.
Mr. Isaac.	Sir Robert Buxton.
Mr. Dillwyn.	Mr. Dodds.
Mr. Bristowe.	Lord Muncaster.
Mr. William Lowther.	

DRAFT REPORT proposed by the *Chairman*, read the first time, as follows:—

"1. Your Committee are satisfied from the evidence brought before them, that there is a general feeling in favour of the further preservation of trout and char, and of the preservation, so far as practicable, of the non-migratory fish, during the spawning season.

"2. There has been a considerable diminution both in the quantity and size of fish of the latter kind during the last few years in many rivers. And your Committee are of opinion that legislation is desirable to remedy this growing evil. This opinion is based upon considerations affecting both the supply of food and the reasonable advancement of a healthy and very popular sport.

"3. As regards trout and char, your Committee think that Clause 5 of the Bill referred to them should be amended so as to secure (i.) that a close time shall be extended to trout and char in all waters in England and Wales; (ii.) that the provisions of the Salmon Fishery Acts should be extended so as to provide for the formation of Boards of Conservators

Conservators in districts where trout and char are found, for the provision of water bailiffs, by the issue of licenses for trout and char fishing, and for the varying of the close season for char.

"4. As regards other fish, called in the Bill 'freshwater fish,' your Committee think the close season should be a fixed one, viz., from 15th March in each year to 15th June.

"5. During this season it should be illegal, in accordance with sub-section 3 of the Bill referred to us, to 'fish for, catch, &c.,' and sub-section 4, to 'buy, sell, or expose for sale, &c.'

"We think, however, that a proviso should be added, something to this effect: 'Nothing in this sub-section shall apply to any person angling in any private water with the leave of the owner of such water, or in any public water under the jurisdiction of a Board of Conservators, with the leave of such board.' Nor shall anything in this sub-section apply to the owner or owners of private waters destroying within such waters where trout, char, or grayling are found, any kind of freshwater fish. Nor shall it affect the rights of the owner or owners in or over any inclosed water entirely within his or their possession.

"6. There should also be a provision allowing the supply of fish for scientific purposes, such as to the Zoological Gardens, or the like establishments.

"7. In the same spirit, and desiring to avoid legislation which might be vexatious, your Committee would not recommend any detailed regulations as to the size of the mesh of nets, the prohibition of night netting, or the like; but believe that a simple Act such as they propose would, though tentative, be to a very considerable extent efficacious and operative.

"8. In accordance with the suggestion of Mr. Walpole, your Committee think that a clause embodying the principle of Clause 32 of the Malicious Injuries Act (24 & 25 Vict. c. 97), but with a pecuniary penalty only, should be inserted in the Bill.

"9. This clause, and those for the prohibition of sale, and against the use of dynamite, should apply generally. But the counties of Norfolk and Suffolk, who have recently obtained an Act of their own, should be exempted from the other clauses of the Act.

"10. It is important to enable conservators appointed under this Act, or the Salmon Acts, to exempt their district or any part of it from this close season, so far as regards the taking and killing of coarse fish."

DRAFT REPORT proposed by Mr. Rodwell, read the first time, as follows:—

"1. Your Committee having examined a variety of witnesses, who have given most valuable and interesting evidence of a scientific as well as of a practical character, have come to the conclusion that the time has arrived when some legislative interference is required to preserve the coarser descriptions of freshwater fish, which afford sport and recreation to all classes of the community, and have no inconsiderable value as an article of food.

"2. In carrying out this object, your Committee have endeavoured to guard themselves against the danger of imposing restrictions which may interfere with private rights, or of introducing a system of laws which it might be difficult to enforce without greater cost and vigilance than the nature of the case demands.

"3. The apparent conflict of opinions expressed by the several witnesses is accounted for by the fact that they regard the coarser fish from opposite points of view. The fisherman in the Lake District treats as vermin the pike and perch which the angler in the sluggish Ouse is anxious to preserve as the main objects of his sport, and it appears impossible to pass one hard-and-fast law which should prevail throughout England. The differences of water and climate also render it inexpedient to fix the same exact period as close time in all localities.

"4. It has been proved beyond all doubt, that great mischief and wanton destruction are caused by indiscriminate netting during the spawning season, when these fish may be considered unfit for food. The damage done by those who angle at such periods is hardly appreciable, and the occasional presence of anglers upon the river banks would materially tend to prevent poaching.

"5. Your Committee, while they generally approve of the principle of the Bill, in order to render it more elastic, have to some extent adopted the provisions contained in the Fisheries Act for Norfolk and Suffolk, which counties ought to be exempted from any further legislation in regard to freshwater fish, and we recommend,—

"1st. A close time of three months during the spring for netting (except for bait) in all public streams and water, the precise period to be fixed by some local authority or board

"2nd. That in all public waters except those to which Salmon Acts now apply, no pike be killed within the specified close time.

"3rd. That the sale of all freshwater fish except for the purposes of food for animals kept in confinement be illegal during the months of March, April, and May.

"4th. That this Bill should not apply to the counties of Norfolk and Suffolk."

MOTION MADE, and Question, That the Draft Report proposed by the *Chairman* be now read a second time, paragraph by paragraph—put, and *agreed to*.

Paragraphs 1—3, amended, and *agreed to*.

Paragraph 4.—Amendment proposed, at the end of the paragraph, to add the words "and that power should be given to appoint Boards of Conservators, where practicable, for the preservation of such fish"—(Mr. *Stanhope*).—Question, That those words be there added,—put, and *negatived*.—Paragraph *agreed to*.

Paragraph 5, amended, and *agreed to*.

Paragraphs 6--7, *agreed to*.

Paragraph 8, *disagreed to*.

Paragraphs 9—10, *agreed to*.

New Paragraph (10).—"In cases of conviction under sub-sections 4 and 5 of the Bill, power ought to be given to the justices to declare the fish and instruments used in their capture forfeited, and dealt with as they may order"—(The *Chairman*).—*added*.

New Paragraph (11).—"In order to carry out efficiently the provisions of the Bill, we think it would be desirable to give some such power of search upon the order of a justice on sworn information as is given in Clause 34 of the Salmon Fishery Act 1861"—(Mr. *Stafford Howard*).—*added*.

Question, That this Report, as amended, be the Report of the Committee to the House,—put, and *agreed to*.

[Adjourned till Tuesday, 2nd July, at Twelve o'clock.]

---

*Tuesday, 2nd July 1878.*

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MEMBERS PRESENT :

Sir MATTHEW WHITE RIDLEY in the Chair.

Mr. James Duff.  
Mr. Isaac.  
Lord Muncaster.  
Mr. Bristowe.  
Mr. Dillwyn.

Sir Robert Buxton.  
Mr. Stafford Howard.  
Mr. Mundella.  
Mr. Arthur Bass.  
Mr. W. S. Stanhope.

The Committee proceeded with the consideration of the Freshwater Fish Protection Bill.

Clauses 1—7, amended, and *agreed to*.

Several new Clauses *added*.

Bill, as amended, to be *reported*.

*Ordered*, To Report, together with Minutes of Evidence.

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EXPENSES OF WITNESSES.

NAME of WITNESS.	PROFESSION or CONDITION.	From whence Summoned.	Number of Days absent from Home under Orders of Committee.	Allowance during Absence from Home.	Expenses of Journey to London and back.	TOTAL Expenses allowed to Witness.
				£. s. d.	£. s. d.	£. s. d.
J. R. Crawford - -	Clergyman - - -	Ely - - -	One - - -	1 - -	1 - -	2 - ..
T. Guest - - -	Working Cutler - -	Sheffield - -	Two - - -	1 - -	1 10 -	2 10 -
R. Savidge - - -	Licensed Victualler -	Nottingham -	Two - - -	1 10 -	1 12 -	3 2 -
H. Jackson - - -	Fishing Tackle Maker -	Birmingham -	Two - - -	1 10 -	1 4 -	2 14 -
J. Foster - - -	River Keeper - - -	Nottingham -	Two - - -	1 - -	1 12 -	2 12 -
				TOTAL - - -	£.	12 18 -

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*Tuesday, 28th May 1878.*

## MEMBERS PRESENT:

Mr. Arthur Bass.  
Mr. Bristowe.  
Sir Robert Buxton.  
Mr. Dillwyn.  
Mr. James Duff.  
Mr. Stafford Howard.  
Mr. Isaac.

Mr. William Lowther.  
Sir Andrew Lusk.  
Lord Muncaster.  
Mr. Mundella.  
Sir Matthew Ridley.  
Mr. Rodwell.  
Mr. W. S. Stanhope.

SIR MATTHEW WHITE RIDLEY, BART., IN THE CHAIR.

Mr. SPENCER WALPOLE, called in; and Examined.

*Chairman.*

1. It is hardly necessary that we should ask who you are; you are one of the Fishery Inspectors?—Yes.

2. And have been, I believe, for some time?—Rather more than 11 years.

3. And you are, therefore, familiar with all the Acts in England which apply both to migratory fish and to what we may call freshwater fish?—Yes; I am only concerned officially with migratory fish, but I think I am familiar with all the legislation affecting fisheries in this country.

4. You are aware that the Committee has met to consider a Bill which has been brought in for the purpose of preserving freshwater fish?—Yes.

5. Both trout and char, and other fish, which are commonly, I believe, called coarse fish?—Yes.

6. Will you state first how the law stands with reference to freshwater fish as defined by this Bill?—Practically at the present moment there is no law for the preservation of coarse fish, except in the counties of Norfolk and Suffolk, and to a limited extent in the upper waters of the Severn; but taking the country as a whole, there is no law for the preservation of coarse fish. Some sections of the Salmon Acts apply to the preservation of trout and char.

7. Are there no other Acts referring to trout and char specially?—No, I think none whatever.

8. That is to say there is no protection for trout and char, except in districts where there are Salmon Conservancy Boards?—Except in districts 0.110.

*Chairman—continued.*

where there are Boards of Conservators. But by the Salmon Acts it is illegal to sell trout and char, or have them in possession for sale, between the 2nd of October and the 1st of February; that law is universal throughout England and Wales; that is the 20th section of the Salmon Fishery Act, 1873. If you turn to the first page of my Manual, which I see in your hand, you will see that there are six Acts relating directly to the salmon fisheries of England and Wales; they are the Act of 1861, 24 & 25 Vict. c. 109; the Act of 1863, 26 Vict. c. 10; the Act of 1865, 28 & 29 Vict. c. 121; the Act of 1870, 33 & 34 Vict. c. 33; the Act of 1873, 36 & 37 Vict. c. 71; and the Act of 1876, 39 & 40 Vict. c. 19. I may say with reference to those Acts, that the Act of 1865, the Act of 1873, and the Act of 1876, have provisions in them relating to trout; the Act of 1873 has provisions in it relating to char.

9. There is nothing in the Acts of 1865 and 1876 relating to char?—No, nothing.

10. But there are regulations relating to trout in the Act of 1873?—Yes.

11. The section to which you were referring, by which you say it is illegal to sell trout and char from the 2nd of October to the 2nd of February throughout the whole of the kingdom, is the 20th section of the Act of 1873?—Yes; you will find it in the 123rd section of my Manual. What has been done is this: by the Act of 1865 a close season for trout was fixed for all rivers in fishery districts between the 2nd day of November and the 1st day of February following, both inclusive, and persons in those districts

Mr.  
Walpole.  
—  
28 May  
1878.



Mr.  
Walpole.  
28 May  
1878.

Chairman—continued.

districts were prohibited from fishing with lights, spears, and other prohibited instruments, and from using trout-roes as bait. That was all the legislation applied to trout by the Act of 1865. By the Act of 1873, Mr. Dillwyn's Act, those provisions were extended to char also, and the close season also was lengthened by one month, and made to begin on the 2nd of October instead of the 2nd of November.

12. For trout as well as char?—For trout as well as char. You will find those provisions in the 18th section of the Act of 1873; you will find them recited also in the 108th, 109th, and 121st sections of my Manual. Then, at the same time, it was also made illegal to sell trout and char in England or Wales during that close season, and that is the section which you wish me to read. "No person shall buy, sell, or expose for sale, or have in his possession for sale, any trout or char between the 2nd day of October and the 1st day of February following, both inclusive; and any person acting in contravention of this section shall forfeit any trout or char so bought, sold, or exposed for sale, or in his possession for sale, and shall incur a penalty not exceeding 1*l.* for every such trout or char."

13. Then, to follow that up, in the Act of 1876 what was done?—In the Act of 1876 the Secretary of State was given power to alter the close season for trout, on the application of any Board of Conservators. It was a power to vary the close season for trout only; so, to recite all the provisions, you will see that it is now illegal to sell trout or char in any part of England or Wales during a certain close season; it is illegal to take trout or char during that close season in any fishery district in England or Wales, and it is illegal also to fish for trout and char with lights, spears, otters, gaffs, and other prohibited instruments; and it is also illegal to use trout-roes, or char-roes, as bait for fishing.

14. Then there is no power, as I understand it, to alter the close season with reference to that general prohibition of sale in the Act of 1873?—No, none whatever; the close season for sale is defined unalterably.

15. But wherever there is a fishery district there is power in the Secretary of State to alter the close time upon application from a Board of Conservators?—Yes, for trout. I think the theory of Parliament was, that if the close season laid down by law was not applicable to any particular district, they would give power to allow a gentleman, for instance, to kill the trout in his own waters, but they would not let him interfere with the general good of the country by selling those fish, and so introducing them into the market.

16. Then is there any other legislation which affects trout and char in any particular district of the country, or is that all the legislation affecting trout and char?—Of course there is the Norfolk Act of last Session; that is very general: that is an Act for the preservation of all fish, and, of course, including trout and char in those fish indirectly, but it does not expressly apply to them.

Mr. Rodwell.

17. There are no char in Norfolk or Suffolk, I think?—No; I have omitted to mention an old Act of George III., applicable to the head waters of the Severn, but I do not think that that is practically of any importance or of any significance at the present moment; and there is

Mr. Rodwell—continued.

also an Act, that I am afraid I have not by me, with reference to the Solway, which Mr. Lowther is acquainted with, which regulates the mesh to be used in all the waters flowing into the Solway, which also is indirectly applicable to trout and char, but which is of no great importance for the Committee to attend to, I think.

Chairman.

18. To speak first of trout and char, what would you recommend with respect to an alteration of the law as regards trout and char, looking to what is proposed in this Bill?—I should suggest the extension of the Salmon Acts to all the waters in England and Wales. The protection afforded by the Salmon Acts to trout and char seems to me to be very good indeed, so far as it goes; it only does not go far enough.

19. You say that you would recommend the extension of the Salmon Acts to all rivers in England and Wales?—Yes, whether under a board of conservators or no.

20. Do you mean that a board of conservators is to be elected for and to manage all the fisheries and rivers in England?—No; I mean that this close season for the protection of trout and char is at present only applicable to the rivers under the control of a board of conservators; I should make that close season applicable to every part of England and Wales, whether it happened to be under a board of conservators or no. That is the first alteration that I should make in the law.

21. In your experience has the Act of 1873, which in the manner which you have described to us makes it illegal to sell trout and char been operative or not?—It has been very operative and very successful.

22. But you think besides that there is necessity for further legislation to apply to trout and char?—Certainly, because it is now legal to take trout and char in any river in any part of the country in which there is no fishery district for salmon. I asked the Committee Clerk to have a map here; I am afraid there is not one; but indirectly I may say this, that if you draw a line, say from Hull to Southampton diagonally across England, you will find everything west of that line is in fishery districts, and nearly everything east of that line is not in fishery districts. There are exceptions on both sides of the line, but the rule is a rough one which will do. The fact is that if you draw that line, you get on one side a hilly country suitable for salmon, and on the other side of the line a flat country that is not suitable for salmon; it is a sort of rough-and-ready rule that in the absence of a map may help you.

23. Where boards of conservators exist I presume the provisions which they make for protecting salmon extend likewise to the protection of trout and char by the machinery of water bailiffs, and so on; they prohibit, in fact, angling for trout and char within the close time?—Yes, to a very great extent.

24. How do you propose to effect that with regard to the other rivers where there are no conservators?—I propose to do this: I should like to extend the principle of the Salmon Acts to all rivers frequented by trout and char. At the present moment the Secretary of State has power to form any river frequented by salmon into a fishery district, but only rivers frequented by salmon. I see no reason why the same principle should not be extended, or why the Secretary of

*Chairman—continued.*

of State should not be given power to form into a fishery district all rivers frequented either by salmon, trout, or char.

25. Looking at it practically, do you see any difficulty or any objection in the way of being able to get conservancy boards?—No; I think in a great many cases the local authorities will gladly avail themselves of the organisation; in fact, in one or two cases we have stretched the law in order to avail ourselves of the only organisation which Parliament had afforded, and have formed rivers into fishery districts which really could hardly be said to be frequented by salmon, but where one or two sea-trout were annually taken, and so we held that they were frequented by salmon for the purpose of giving them some sort of organisation. I mean the Rother in Sussex, the Ouse in Sussex, and the Stour in Kent; in each of those cases the result has been extremely satisfactory, and the fish have been very much protected by the extension of the organisation, though I believe the Home Office had no real power to do it, if exception had been taken to their doing so.

26. What you say would apply to the Lake district, for which we have had a special Report from you and Mr. Buckland, and to the whole of the rest of England?—Yes. Then also, to follow it up, water bailiffs at the present time have certain powers granted to them in all rivers frequented by salmon, but they have no power whatever expressly given to them to protect rivers frequented by trout and char. Of course, where the river is frequented both by salmon and trout, the clause is sufficient, but I see no reason, if it is the object of Parliament to protect trout and char, why those provisions should not again be extended, and why the powers of water bailiffs should not be extended to all rivers frequented by trout and char. If you refer to the powers of water bailiffs, they are in the 36th, 37th, and 38th sections of the Act of 1873 specially. The 36th section is the chief one. You will see for instance, that their powers are to examine any weir, fixed engine, and so forth, connected with any salmon river; to stop and search on any salmon river any boat, barge, and so forth; to search and examine all nets, baskets, and other instruments used in fishing, or in carrying fish. I am proposing that those provisions should be extended to rivers frequented by trout and char, as well as those frequented by salmon.

*Mr. Rodwell.*

27. There is no definition of rivers except the rivers frequented by the fish?—Both the term "river," and the term "salmon river," are defined by the Act of 1868.

28. Your proposition would be that the stream that holds the trout should be put in the same condition and subject to the same incidents as a salmon river?—Certainly, that is my proposition.

*Chairman.*

29. Water bailiffs, I apprehend, only exist where there are salmon districts?—Water bailiffs can only exist where there are salmon districts, because there are no funds to obtain them where there are not.

30. Your proposition to extend the power of the water bailiffs implies the creating of conservancy boards, and giving them the same power as exists with reference to salmon districts?—

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*Chairman—continued.*

Yes. Those conservancy boards cannot be created by the Home Office alone, but can only be created on the application of the magistrates in quarter sessions; therefore there is no reason to suppose that they would be created in an unnecessary way.

31. You have been making an enquiry recently into the fisheries of the English Lake district?—Yes.

32. And you have made certain recommendations, I believe?—Yes.

33. You also took a considerable amount of evidence in the district?—Yes. That inquiry, I should like to say, was in connection with my colleague, Mr. Frank Buckland.

34. Could you give us the substantive recommendation that you made in consequence of the evidence which you took?—Shall I give them on this point with reference to trout and char.

35. In the first instance, will you do that, if you please?—We recommend, "1. That the provisions of the Salmon Fisheries Acts, 1861 to 1876, relating to trout and char, should be extended to the entire English Lake district, i.e., to the counties of Cumberland and Westmoreland, and to that part of Lancashire which is situated to the north-west of Morecambe Bay. 2. That within these limits it should be illegal to fish for trout and char between the 2nd day of October and the 28th day of February, both inclusive; but that the conservators of any fishery district situate within such limits should have power to alter this close season for trout and char (not trout only) with the approval of the Secretary of State. 3. That within the limits it should be illegal to use a net having a mesh of less than one inch from knot to knot, or four inches round. 4. In such district the provisions of the Salmon Fishery Acts relating to the formation of fishery districts, the appointment of conservators, the powers of water bailiffs, and the issue of licenses, shall be extended to trout and char, and to all waters frequented by trout or char."

36. And those recommendations are based mainly upon the evidence which you and Mr. Buckland took in the early part of this very year?—In the spring, or rather in February of this year; and I may say that in making those recommendations we had in view the possibility of this inquiry, and we thought that those recommendations were really applicable, so far as we knew, not only to the English Lake district, but to the whole of England and Wales.

37. I observe that you propose to add to the close time, during which it is illegal to fish for trout and char; you propose to extend it from the 2nd of February to the 28th of February?—Yes; that is quite true with reference to the Lake district; there is no doubt that it would be very much better to have a close season for char from the 2nd of October to the 28th of February; but I think that the 28th of February would be too late a close season for trout, and therefore I would not make it applicable to the whole country.

38. But you think that with regard to the Lake district it would be advisable to have the same close time for trout and char, and that that should be the 28th of February generally?—I should give them the same close season as the rest of the country, namely, from the 2nd of October to the 2nd of February, but I should give the Secretary of State power, on the application

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cation of the local conservators, to extend that close season for the Lake district to the 28th of February.

39. There you propose, also, to make it illegal to fish for trout or char with nets having a mesh of less than a certain size?—That was very strongly recommended to us in the Lake district. I do not think you could make that provision applicable to the whole country. I think that probably a good many private gentlemen would say that they must reserve a right to netting their own ponds in any way they chose.

40. What do you propose as to private waters; I suppose there are private waters in the Lake district also?—Yes; the greater part of the Lake waters are private, but the titles to them are of various conflicting kinds. For instance, in Windermere, which is the largest of the Lakes, Lord Lonsdale, I think, is proprietor of the soil, but the fisheries are held under him by a sort of copyhold tenure by six other proprietors; in addition to that the public generally have a right of angling in the Lake, and they exercise the right (I do not know whether they have a right) of setting night lines and other fixed engines of that kind.

41. You do not propose by any legislation to interfere with night netting, or setting of night lines, or trimmers?—No, I think that in legislation of this character, which is, to a certain extent, experimental, Parliament had better confine itself to as few and simple provisions as possible, and not enter into a great many little details which possibly might offend a great many people.

42. What do you say with regard to licenses; I apprehend that in order to get funds to carry out the Act it will be necessary to have licenses?—Yes; at present a Board of Conservators is empowered by the Salmon Acts to issue licenses to persons fishing for salmon. I do not think there would be any hardship in extending that power, and in authorising a Board of Conservators to issue licenses to persons fishing for trout and char.

43. Do you apply that generally to the whole of England?—Wherever a Board of Conservators is formed, or may be formed, I do not see why that power should not exist. Of course Parliament might put in any restrictions as to the rate to be paid for those licenses that it thought proper. The sections respecting licenses in the Salmon Acts are the 34th section of the Act of 1865, and the 25th section of the Act of 1873.

44. In rivers where a Board of Conservators exist for the protection of trout, we will say, and for the protection also, we will say, of other fish?—I am confining myself to trout and char.

45. You must contemplate the possibility of fishery districts and boards of conservators that would have to protect other fish besides?—Yes, but I should like to deal with that separately.

46. But as to licenses, what would you propose to do in such cases?—I apprehend that it would be extremely vexatious to issue licenses for fishing for other fish; there are a great many children and poor people in the habit of fishing for coarse fish, and I apprehend it would be very unwise to impose any duty upon them; it would make the law very unpopular.

47. You would not propose to have any fishery districts or any such machinery for the protection of coarse fish?—No, except so far as this, that where there is a fishery district for the protection

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of trout and char, I would give them a general supervision over all the fish of the district; but I would not institute machinery for the special protection of coarse fish.

48. While we are upon the Lake district, what do you say with reference to a close time for such fish as pike and perch; how would you propose to give the conservators power to exempt them; would you put them in, in the first instance, and allow them to be exempted, or would you do the reverse?—That really brings us to the question of coarse fish generally.

49. We are now, for the sake of convenience, confining ourselves, as far as possible, to the Lake district, which is different, I think?—I think that if Parliament contemplates the preservation of coarse fish, it must take care that it does not preserve coarse fish in those rivers where their preservation is undesirable. Of course, in a purely trout river, the preservation of coarse fish is exactly the same thing as the preservation of vermin in a game cover. Coarse fish are most properly preserved in rivers inhabited only or chiefly by coarse fish, but I think you would be reversing the true principles of legislation if you were to preserve them generally throughout the country, and therefore if you made any close season for coarse fish, I would give a Board of Conservators power to exempt their district, or any part of their district, from the operation of that close season. Of course, that would be with the approval of the Secretary of State.

50. Let us come now to these coarse fish; could you specify some of the coarse fish; would you propose in an Act of Parliament to say that all fresh-water fish shall have a close time provided for them; or would you make a list of fish which you think should be preserved?—I would not make a list of fish. Of course I know it sounds absurd to have an Act of Parliament for preserving minnows, or sticklebacks, or a good many other fish that one might mention: but I think if you make a list or schedule of the fish to be preserved, your law will practically be inoperative. I do not know if you are aware of what has happened with the law which Parliament in its wisdom passed for the preservation of wild birds. It inserted a schedule of the particular birds to be preserved, and it is notorious now that the birdcatchers go on catching birds just as they did before that law was passed, and if anyone interferes with them, they say, "I am catching a bird that is not in the schedule." Now, I believe, if you schedule any number of fish, you will have exactly the same thing take place; you will go up to somebody fishing, as you think, illegally, and he will say, "I am fishing for some fish that is not in the schedule to your Act, and you cannot touch me." Therefore, I think it is necessary, if you have a close season at all, to make it applicable to all fish.

51. Then the words of this Bill you would approve of, as I understand, "In this section, the term 'fresh-water fish' includes all kinds of fish other than trout and char, which live in fresh water, except those kinds which migrate to or from the open sea"?—I think that is the right way to define it.

52. And the Bill should then be drawn generally so as to provide, in your opinion, a close season for all such fish?—I think so. I believe, as far as I know, that includes all fresh-water fish

*Chairman—continued.*

fish except eels, other than trout and char, which are specially excepted. I believe it is the best opinion that all eels migrate to the sea. I know it is a disputed point, but that is the usual opinion of naturalists. Of course, on the assumption that eels do not migrate, the clause would be wrong, because it would not be desirable to preserve eels under that clause; that is why I mention it.

53. Surely, in coming for an Act of Parliament, if there be doubt, it would be well to specify eels?—I think you will have scientific evidence, like that of my colleague, which will remove your doubt on that point, and satisfy you that they do migrate.

54. With regard to what close season should be proposed for these freshwater fish, is it not the fact that the spawning season not only differs in the season of the year for the different kinds of fish, but differs also in various parts of England; how do you propose to meet that?—I have no very clear proof that the spawning season for coarse fish differs in different parts of England. It undoubtedly differs slightly for different kinds of coarse fish; there is no doubt, for instance, that pike and perch spawn earlier in the year than roach, and dace, and barbel, but all coarse fish spawn in the spring or early summer of the year; and therefore, I think, if you took some three months in that period you will afford a very fair protection to them all. It will not be the best protection that you could afford to anyone of them, but a fair protection to them all.

55. Have you formed any opinion as to what three months those should be?—On that point the Thames Conservators had the power, under the Thames Conservancy Act, of fixing close seasons on the Thames, and they fixed from the 1st of March to the 31st of May for all fish. The Norfolk Conservators, who had also power to fix a close season by the Act of last Session, fixed from the 1st of March to the 30th of June; and the unanimous recommendation made to my colleague and myself, when we were inquiring in the Lake district, was, that the close season should be from the 1st of March to the 31st of May. I should state that the close season for Norfolk and Suffolk is for netting only. I believe I am also right in saying that the Yorkshire anglers passed a resolution also adopting the same close season, namely, March, April, and May. Therefore I think there is a very strong argument in favour of those months. I believe, however, that some of the London anglers think it should begin a little later; in fact, I attended a meeting, presided over by Mr. Mundella, in which a resolution was passed that the close season should be from the 15th of March to the 15th of June. I have nothing to object to that close season. I think so that you get three months about that time, you will not go very far wrong, whatever the three months are.

56. And to whom then would you give the power of altering the close time in the various districts?—I should fix the close season by Act of Parliament, and I should give no power whatever to vary it; and if you will let me expand my meaning there, I have had a little experience in variable close seasons, because we have power to vary the close seasons under the Salmon Acts; we exercise that power with the greatest possible hesitation. Mr. Cross was kind enough to endorse our view on the matter, and what we did was

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this: we laid down certain strict rules, beyond which we refuse to go; and we have, up to the present time, resisted all applications to depart from those rules; but the pressure brought upon the Home Office for the variation of the close season is incessant and constant, and nothing but the greatest firmness on the part of the Secretary of State prevents our having conflicting close seasons all over the country. I think in the case of coarse fish the pressure would be much greater, because in the case of salmon fisheries there are a great many people interested in maintaining the close season invariable, and so you get a certain amount of pressure exerted on both sides; but in the case of coarse fish you would have it only on one side. If I may leave the fish again, in the case of the Wild Fowl Preservation Act, the Home Office has power on the application of the justices to vary the time for killing wild fowl; now, of course, I speak with great deference as to the acts of the Home Office: but what they have done is this. The close season in the Act is from the 15th of February to the 10th of July; in Norfolk the close time has been altered, so as to be from the 1st of March to the 10th of July; in the eastern division of Suffolk, from the 1st of March to the 24th of July; and in Essex, from the 15th of March to the 1st of August. Now there you have three counties marching with each other with the same climate and the same conditions in which you have got variable and conflicting close seasons. I cannot help thinking that is a great evil, and that it would be very unwise to reproduce it in any fishery legislation.

57. I was going to question you with regard to this close season; do you propose that it should be a close season to extend to anglers as well as netting, or only a prohibition of sale?—I think, speaking generally, it ought to extend to anglers. I take it for granted that you must have a prohibition of sale, but I think that it is essential that it should apply to anglers in thickly populated districts like Yorkshire, where the anglers, I am told, go out in special trams and stand a few yards from each other and fish incessantly. We have no conception of what it is in this part of the world. In the instance of the Lakes, the recommendation was unanimous that it should extend to angling; and at present on the Thames there is a close season for angling. Therefore, I think that the law ought to extend to anglers with regard to the close season; but I would make two exceptions to that rule; I would give the owner of a private fishery power to allow any person by writing under his hand to fish with rod and line in his waters during the close season. I do not see otherwise how you can get over the difficulty which I know is raised, that owners of ponds want their boys to have fishing in the Easter holidays, and so forth; and of course nobody wants to prevent a harmless thing of that kind.

*Mr. Rodwell.*

58. Do you mean a form in writing to be filled up every time?—No, a general power. I think you might extend that to where there are boards of conservators, and allow boards of conservators also to give a license for angling in close seasons; in fact, what I want to do is to prevent the abuse of angling; I do not want to prevent the fair exercise of it.

59. Have

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59. Have you been able to form any opinion whether such an Act of Parliament would be operative, or whether it would be possible in large centres of population to prevent these numerous bodies of anglers which you have described, from going to fish in the canals and other places?—I have no doubt whatever that if you passed the Act it would be immediately carried out. In Nottingham, for instance, which is a large angling centre, and where they have a large fishery association, I am sure they would take care that it should be enforced, and the same at Worcester.

60. You think that all the great fishery clubs, of which there are a great many in the country, would give their support to the carrying out of such a provision as you suggest?—I have no doubt of it.

Mr. Bristow.

61. What do you mean by the term "private fishery"?—You come there to one of the most difficult questions you can possibly ask; but I think it is desirable that I should expand my evidence a little on that point. There is nothing more difficult, I believe, than to go into the question of what are private rights of fishery in this country. Now, for example, I have already instanced the case of Windermere, where the soil belongs to Lord Lonsdale, where there are perpetual tenants holding under him at a quit rent, and where the public also exercise a right of fishing. That is one case. Then there is the case of the Thames, where the soil above Teddington is certainly private, where the fixed fisheries at the weirs are certainly also private, and where the public also exercise a right of fishing both by net and rod. The same thing occurs in a great many other cases; for instance, on the Severn. The Severn is a navigable river in part of its course; the public exercise a right of netting; they have no right to the soil, and the riparian proprietors dispute their right of drawing the net on the bank of the soil; the public have the undoubted right to net in the river, provided they do not actually land on the soil. I may say that in Welsh rivers, like the Teivy, the Dee, and the Towy, the right is disputed; the proprietors claim the right of fishing, and the public claim and exercise it in defiance of the proprietors. Therefore there is nothing in the world so difficult as to say whether any fishery is public or private; but what I feel sure of is this, that no proprietor who had a doubtful right of that kind would give the permission I spoke of; it would only be given in those cases where the right was notorious; in a doubtful case a proprietor would not risk an action on a point of that kind.

Chairman.

62. Would you give any power with regard to the exemption of particular fish in the Bill, supposing that in certain private waters they wanted to kill pike?—None, except the general power which I would give to Boards of Conservators where there are salmon districts, to exempt their districts, or any of their districts, from the operation of the Act.

63. But of course this Bill contemplates the protection of fish in many districts, where it is extremely improbable that Boards of Conservators can ever exist?—Quite so.

64. In such districts as that it would be, according to your proposed legislation, impossible

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to kill pike even in private waters?—In those three months.

65. But you would not extend it to private waters, would you?—If you want your Bill to be operative, I am inclined to think that you must extend it to private waters.

66. What do you think the owners of private waters would say to that?—So far as I know, if you gave the owners of private waters power to allow people to angle in their waters, I do not think they would want anything further in those three months.

67. Are there not some fish, other than trout and char, which private owners like to cultivate, and for the purpose of whose protection they like to destroy pike as they would rabbits; how do you propose to meet that difficulty?—I am not sure that there are any fish that they would wish to destroy pike for, except trout and char; they might do so in the case of grayling rivers; that would be the only case, but I think all grayling rivers might easily be placed under a Board of Conservators.

68. Supposing that it would be necessary to provide some power of exemption from such a general law, in whom should you think this power should be vested where there are no conservators?—It is very difficult to see any authority in whom it could vest, unless you give it to the magistrates in quarter sessions.

69. Have you any experience of the action of quarter sessions, to be able to say whether there would be any difficulty in quarter sessions being moved to that effect?—It seems almost impossible to move quarter sessions for the case of a small pond or lake, but I see no other authority in the country; you cannot give it to the owner of the private fishery, because there are so many cases where a private fishery is really the very place where it is necessary to preserve the fish. For instance, Lord Lonsdale is exclusive owner of Hawes Water; the head waters of Hawes Water are the waters in which all the fish in Hawes Water are bred, all the trout and char; and Lord Lonsdale is not the owner of those head waters, which are private streams; therefore the owners of those head waters, who are small yeomen, might go and destroy all Lord Lonsdale's fish in Hawes Water.

70. But that refers to the special protection which it appears to be the general opinion should be afforded to trout and char; we are speaking now rather of the rivers east of the imaginary line which you have described from Hull to Southampton, where it is not probable that conservators will exist, and where there is nothing to fish for much but coarse fish; does not the difficulty appear to you almost insuperable with regard to that?—I draw your attention to what the conservators of Norfolk and Suffolk have done; they have instituted a close season for pike, much longer than I have recommended, namely, four months instead of three, and they have reserved no power to any authority whatever to exempt anybody from the operation of that close season.

71. Has there been any inquiry as to the operation of this Norfolk Act since it came into force last year?—It has hardly come into force yet.

72. Have you a copy of the bye-laws of the Norfolk fisheries?—Yes (*producing it*). The Norfolk Act applies to the navigable rivers in the



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the counties of Norfolk and Suffolk, and the county of the city of Norwich, and to the Broad connected with such rivers. The close season which the Norfolk conservators have made, applies to all the waters within the limits of the above Act. I think I am right in saying that many of those Broad are private waters.

*Mr. Mundella.*

73. That applies to pike also?—I think so; I certainly was under that impression.

*Mr. James Duff.*

74. Many of the Broad are not connected with any navigable rivers?—Yes, but there are certain Broad at this moment in Norfolk and Suffolk which are private, where the Conservators of Norfolk and Suffolk have imposed a close season for pike, and where they have given no power to any authority whatever to vary that close season; and that close season is a longer close season than the one I am wanting to recommend.

*Chairman.*

75. I will not ask you more particularly with reference to that now; but let me ask you, as it is a point which is very likely to be raised; I daresay you have heard something about the necessity of providing fish for the birds at the Zoological Gardens, or for aquaria and other purposes; what do you say to any difficulty that might be raised to your close season as to that?—I believe that there is no practical difficulty whatever in providing the fish in the aquaria with fish food; and for that I have the authority of the managing director of the Southport Aquarium, who, in my judgment, is the first authority on this subject in the kingdom. I cannot say whether it is necessary to have a dispensing power for the Zoological Gardens; if it is actually proved to be necessary to have that dispensing power, you might easily say that nothing in this Act should apply to fish taken for scientific purposes or for the feeding of animals in the Zoological Gardens, but I really believe that very undue stress has been laid upon that point.

76. Are you aware of those words being in any Act which relates to the preservation of fish or birds, which might be the subject of food?—Not to fish or birds which are the subject of food; but in the Salmon Acts express power is given to allow fish to be taken for artificial propagation, and for scientific purposes during the close season and with illegal instruments. If you look at the 109th, 112th, 113th, and 114th sections of my Manual you will see exactly what the law is on that point. For instance, by the 9th section of the Act of 1861, it is illegal to have salmon roe in possession, but it is not illegal to have salmon roe in possession for artificial propagation or other scientific purposes. By the 14th section of the Act of 1861, it is illegal to take unclean or unseasonable salmon, and that section is not to apply to any person who takes them for artificial propagation or scientific purposes. The same thing applies with reference to the young of salmon; by the 15th section it is illegal to take the young of salmon, but that section does not apply to the young of salmon taken for artificial propagation or scientific purposes, and so forth.

77. Then you think, as regards any difficulty that might be raised as to the provision of coarse

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fish for such places as the Zoological Gardens, those words might meet that difficulty?—If it is a difficulty that is otherwise insuperable, those words might meet it.

78. Have you spoken to Mr. Bartlett with reference to the Zoological Gardens?—No, I have not had an opportunity of doing so. I have spoken to Mr. Jackson, the managing director of the Southport Aquarium, and he told me that he thought it quite unnecessary, as far as the aquaria are concerned, for anything to be done.

79. I do not see anybody here particularly representing the Thames; I think it would be convenient if you could explain to us how the law stands with regard to the Thames district?—You are aware that the Thames is placed under a board of conservancy for navigation purposes. Parliament gave that board of conservancy power to make bye-laws for the regulation of the fisheries. The board of conservancy practically delegated those powers to the Thames Angling Preservation Society, and the Thames Angling Preservation Society recommended the conservancy board to make a bye-law making a close season during the months of March, April, and May for all fishing.

80. I suppose we could be supplied with a copy of the bye-laws of the Thames Conservancy Board?—I have no doubt you can be; I think they were published by my colleague in the Norfolk Report at page 69. The fence months of the Thames for trout are from the 10th of September to the 25th of January; for pike, jack, roach, dace, chub, barbel, and gudgeon, the months of March, April, and May.

81. Then the bye-laws which imposed the close time do not apply to all kinds of fish absolutely, but only to those which you have enumerated?—I think those are practically the only fish to be found in the Thames.

*Mr. James Duff.*

82. There is nothing about carp?—There are very few in the Thames, I think.

*Chairman.*

83. How does the law stand with regard to private waters on the Thames?—I think those laws apply to the whole of the Thames under the jurisdiction of the Conservancy Board, and I think their jurisdiction extends to Goring.

84. Are there not, even below Goring, certain bits of the river, almost like back waters, over which there are private claims, and which are not within the jurisdiction of the Thames Conservancy?—I think that the whole river with its back waters would be within the jurisdiction of the Thames Conservancy; but I am not speaking authoritatively.

85. I will ask you generally, is there any other provision which you think should be made with reference to the preservation of coarse fish?—Yes, I think that there are two other provisions I should like to recommend. In the first place, Parliament last year passed an Act prohibiting the use of dynamite for killing fish in certain places; that Act is the 40 & 41 Vict. c. 65. That Act prohibits the use of dynamite or other explosive substance to catch or destroy fish in a public fishery; I think it very essential to extend that to private waters as well. That Act was passed in consequence of a report made by my colleague and myself; and, certainly, the evidence

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evidence which we received was, that dynamite was chiefly used in private waters, and not in public waters. For instance, it is much used in canals, which are nearly always private waters, and, therefore, I think that it is most essential to extend the provisions of that Act to all waters. I cannot conceive that there can be any objection to that.

86. Have you any reason to believe that the use of dynamite is at all extensive throughout the country?—It threatened to become very extensive indeed last year, both in the sea and in fresh waters. Mr. Cross desired Mr. Buckland and myself to hold an inquiry upon it, and we found that in Nottinghamshire and other mining districts the use was growing every day, and becoming most injurious and most extensive. I have no doubt that the legislation which Parliament has adopted has checked that use, and that a great many of the people who used dynamite fancied the legislation was much more extensive than it really was, and therefore stopped using it; but I have no doubt they will soon find out the state of the law if it is not extended to private waters.

87. That Act originated equally from the use of dynamite in fresh water as it did from the use of dynamite on the coast of Cornwall among the pilchards, and so on?—Yes; the original application to Mr. Cross was in consequence of its use on the coast of Cornwall; but applications were also made from Nottinghamshire and other inland places, and Mr. Cross desired us to extend our inquiry to the inland places as well; and the use of dynamite there is much more injurious than in the sea. There is another point which I should like to recommend. By the Malicious Injuries to Property Act, an Act of 1861, the 24 & 25 Vict. c. 97, it is enacted that, "Whosoever shall unlawfully and maliciously cut through, break down, or otherwise destroy the dam, floodgate, or sluice of any fishpond, or of any water which shall be private property, or in which there shall be any private right of fishery, with intent thereby to take or destroy any of the fish in such pond or water, or so as thereby to cause the loss or destruction of any of the fish, or shall unlawfully or maliciously put any lime or other noxious material in any such pond or water, with intent to destroy any of the fish that might be or may thereafter be put therein, shall be liable at the discretion of the court to be kept in penal servitude for any term not exceeding seven years, and not less than three years; or to be imprisoned for any term not exceeding two years with or without hard labour," and so forth. I do not recommend the extension of those penalties, but I should like to recommend an extension of that provision to all waters with minor penalties. I think it might be very beneficially extended to all waters. I may say that Mr. Dillwyn's Act does extend it to waters frequented by salmon; that is done by the 13th section of the Act of 1873. Of course I should not for one moment propose that the penalties should be the same as those contained in the Malicious Injuries Act.

*Mr. Mundella.*

88. You have had an opportunity of hearing the opinion of fishermen generally as to the main object of this Bill, the protection of freshwater fish?—Yes, considerable opportunity.

89. And what in your opinion is the general

*Mr. Mundella—continued.*

feeling amongst all anglers as to the necessity for such a measure?—I think, speaking generally, there is a very strong feeling of the necessity for such a measure, and an approval of the principle of the Bill. Of course people who are interested in salmon fisheries are very strong indeed in favour of retaining the clause that enables them to exempt salmon rivers from the operation of the Bill; that is the 6th sub-section of the 6th section of your Bill.

90. Then by that sub-section you consider that salmon fisheries are sufficiently exempted from the provisions of the Bill?—Yes, I am quite sure that that is the opinion of all the conservators of salmon rivers whom I have had an opportunity of consulting.

91. And you think the clause as it stands meets that wish on the part of those people?—Certainly, I think they are quite satisfied with it; but I think that if that sub-section fell there would be a great opposition to the Bill.

92. Have you formed an opinion in your own mind as to the desirability in the interests of increasing the provision of food of such a measure as this?—Yes, I have no doubt that it is extremely desirable for the sake of producing an increased supply of food, and even, if possible, still more desirable for the sake of increasing the amusements of a very large number of Her Majesty's subjects, who have very few amusements at their disposal.

93. Providing healthy recreation in large towns of the country?—Yes, to a class of people who have very few other recreations to avail themselves of.

94. Are you aware that this river fish is very much sought after in large towns, and by the riparian population?—Certainly; it is a very considerable article of food.

95. It is a large article of commerce now?—It is both a large article of food and a large article of commerce, and there are many poor men who are very glad indeed after their day's work to go and get a cheap supper by fishing for coarse fish.

96. I have a statement here that more than 23 cwt. of coarse freshwater fish was sent by one person from Ely station, in Cambridgeshire, from the 2nd of March to the 30th of April, at a time when that food was unwholesome; would your information confirm that?—I should think it extremely likely. It is singular that you mention Ely; I was coming up from an official inquiry at Lynn a little time ago, and had to change trains at Ely, and an official at the station introduced himself to me while I was waiting for the train (he had seen my name on my luggage), and he said that I had no conception of the amount of coarse fish, and of coarse fish in the most immature condition that was sent away daily from that station during February and March, and how necessary it was to stop the destruction of immature fish.

97. I see from that neighbourhood it is stated that these fish are sent to London, Manchester, and other large towns at 3 s. 6 d. a bushel of 5 stone, the fish varying in size from 2 inches long?—That quite corroborates the information which was given to me by the railway official who spoke to me; he certainly led me to believe that the amount sent away far exceeded 23 cwt.; his expression was tons.

98. Then I have a statement to this effect, that these

Mr. Mundella—continued.

these are taken in nets which, when drawn from the water, resemble silver lace, from the immense quantity of small fry contained in them, the small fry being left to perish on the banks; have you any experience to show that such a destruction of fish is going on?—I cannot say that I have any information to show, that that is going on there; what I was told was, not that they were left on the banks, but that I could see any number of fish of that size sent away by train, fish as long as your little finger.

99. Another statement is that the fishermen's boats, during the three months of March, April, and May, are besmattered with spawn from stem to stern; that is a fearful waste of food, is it not?—Yes; no doubt you must make a little allowance for rhetorical expression.

100. Now, you have no doubt that there is a great and wanton destruction of fish going on through ignorance, or wilfulness, or the desire of gain?—I think it is from the desire of gain. A great many people naturally think that as there is no law to prevent their taking the fish they may do it. I do not at all blame them; I think they are perfectly within their rights. As long as the law allows them to do it, I do not see why they are not to earn money that way as well as in any other legal way. The destruction is enormous, no doubt.

101. And do you believe that a simple Act for giving a close time would materially diminish the waste which is going on?—I think it would diminish the waste in the most important time of the year, namely, the breeding season. If Parliament found it necessary afterwards to follow up that legislation by further legislation, well and good.

102. Now, is it your experience that the anglers generally, from your acquaintance with them, and the numbers you have met in all parts of the country, would gladly co-operate in the working of such an Act as this for a close season?—I have no doubt whatever that if the Act were passed by Parliament the anglers would take very good care that its provisions were enforced, and would appoint people to see that its provisions were enforced.

103. Practically, every angler would be in himself a watcher against any infringement of the Act?—Yes; and they would be very willing to pay for watchers when they are not fishing themselves, namely, at night.

Mr. James Duff.

104. Everywhere, do you mean?—I do not say everywhere. I think if this protection were afforded the committees of the various anglers' clubs would appoint people to carry out the law.

Mr. Mundella.

105. You mean to say that where the population is dense, and fishing is a great source of enjoyment to them, they would take care to enforce the law without any aid from the Government?—Certainly; as a rule there are no fishing clubs, except where the population is dense, or comparatively dense.

106. And, of course, that statement would not apply where there is a great deal of water and a very few people?—No.

107. With respect to the amount of interest that is taken in fishing, is it, in your experience, that in the dense populations vast numbers of the

Mr. Mundella—continued.

people of large towns derive innocent recreation from a day's sport in the neighbourhood?—An incredibly large number; I believe they may be numbered by thousands.

108. Now, here (*handing a list to the Witness*) is a list of some 200 fishing clubs in London, and that is only one association?—I think my colleague can give you more information on that point than I can.

109. But there are many hundreds of fishing clubs in London, are there not?—Whether there are many hundreds I do not know; there are undoubtedly a very large number.

110. There are several associations, and that is only one association?—Yes.

111. Now were you present at a meeting of anglers that was held at the Society of Arts in the month of April, I think it was?—Yes, I think it was in April, under your presidency.

112. The anglers present represented nearly all parts of the country, did they not?—All the important parts of the country, I think. I recollect there were spokesmen from the Thames, and London generally, and from the Trent, and from Yorkshire, and from the Severn; certainly those are very important districts, and they were represented.

113. They were all agreed and unanimous as to the necessity of a close season, were they not?—Yes, they were unanimous as to the necessity for a law, and as to the necessity for a close season.

114. Then the question was discussed as to when that close season should be?—Yes.

115. And they ultimately came to an unanimous conclusion about it, did they not?—Yes, that the close season should begin on the 15th of March, and should extend to the 15th of June, and that that should apply to all coarse fish.

116. Now with respect to the effect of such an Act as that upon private waters, would it operate differently upon a gentleman's private pond, for instance; I am not suggesting that it should apply, and that there should not be exemptions, but would it operate differently on him from the way in which the Wild Fowls Act, or the Wild Birds Act, or any other Act preserving game, or wild fowls, or wild birds, operates at this moment?—As far as I can see, there is no difference in principle.

117. Would the gentleman's son who came home for the holidays be under any other disadvantage with regard to fishing than he is with regard to taking wild birds or wild fowl; is the principle the same?—The principle, I imagine, in each case is the same. I should say that I believe the Wild Birds Act is inoperative, partly from the reason that I have given you already.

118. Because of certain exemptions?—Yes, I think chiefly because of those exemptions.

119. The men who are searching for birds are always searching for the exemption, are they not?—Yes, and practically there is nobody who cares to enforce the law.

120. There is nobody interested in doing so?—No, nobody interested in enforcing the law.

121. Then with regard to an uniform close season, I think you said, in answer to the Chairman, that any three months from the 1st of March to the 1st of June, or from the middle of March to the middle of June would, in your opinion, practically cover the whole of the coarse fish

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fish of the kingdom?—Yes, I think any three months would afford great protection to the coarse fish; and if the anglers express any preference for any particular time, I think that Parliament should attend to their wishes.

122. But it is quite impossible to have a variable close season, in your opinion, for every description of fish?—I think so, because, for instance, supposing that you had one close season for roach, and another close season for pike, how could you tell if you saw a man netting, whether he was netting for pike or for roach; if he was netting in the close season for pike he would be sure to tell you that he was netting for roach, and if he was netting in the close season for roach he would be sure to tell you that he was netting for pike.

123. But if you had a variable close season, it would apply to rod and line as well as to netting, would it not; you cannot always say what a man is fishing for if he is angling?—That would not apply to my illustration of roach and pike.

124. But it would apply to other fish?—To some of them.

125. It would be impossible to fix a close season which would not be in some degree unsuitable for some kinds of fish, is it not so?—Yes, I think it is impossible to fix a close season which would be the best for all kinds of fish.

126. And in your opinion the only thing that Parliament can do is to fix a close season which would give the best average results for all kinds of coarse fish?—I think that is the simplest course; besides, there is this great advantage, you are dealing with comparatively ignorant men, and they will have only one close season to carry in their heads instead of having to carry five or six close seasons; it would be a difficult thing for a poor working man to find out a complicated law of that kind; at least that is my belief.

127. Do you think, then, that as far as you can gather from your experience in the Lake district, and in Yorkshire, and elsewhere where you have made inquiries, and in London, from the 15th of March to the 15th of June is a better season than from the 1st of March to the 1st of June?—I surrender the 1st of March to the 1st of June in deference to the very strongly expressed opinion of the numerous meeting over which you presided.

128. Then with respect to the sale, I understand you to say that you would recommend the exemption of waters in private grounds from the operation of the Act, so far as the taking of fish is concerned?—So far as taking by rod and line is concerned.

129. Taking in any shape or form?—Of course if Parliament wishes to exempt it in any shape or form they can do so.

130. But so far as sale is concerned you would maintain your idea that no fish should be bought, or sold, or exposed for sale?—I think if the law is to be operative at all, that is the most important clause from the beginning to the end of it; you can only carry it out really efficiently by prohibiting the sale.

131. Do you not think that, after all, with regard to gentlemen who are owners of private waters, supposing their own rights are reserved, such a right as you suggest, so that they could give permission to anyone to fish with rod and line, it would be a great advantage to them, not

Mr. Mundella—continued.

only for the preservation of their own fish, but for preservation from poaching, and from trespass, that such a close season should be maintained?—I think it would be an advantage to a great many of them. I have no doubt that a great many gentlemen possess lakes in their own parks, which are most adequately and efficiently protected, and where no legislation is necessary.

132. Some gentlemen say that it would be a godsend to them to have the hay season a close time, for the protection of their hay as well as their fish; have you heard that said?—I have heard something of that kind.

133. With reference to the seventh clause in my Bill, the dynamite clause, you have no doubt as to the desirability of that clause?—No, I ventured expressly to recommend it to the chairman.

134. When the clause says "other explosive substance," are you aware that during the spawning season a great number of fish are shot with guns?—Yes, I am aware of that; your close season would prevent that practice; I do not think that this clause would prevent the shooting of fish.

135. Do you think it desirable that outside the close season anything should be done in that respect?—No, I think it is desirable to prevent it in the close season, but not very desirable at any other time. They would have to pay the licence to Her Majesty's Government for the use of the gun.

136. I gather then, as the result of your general evidence, that you are strongly in favour of a close season, and that you believe that it would be quite practicable, exempting private waters?—I am strongly in favour of a close season, and I am also of opinion that in experimental legislation it is not very desirable to do more than establish a close season.

137. And you would not deal with the mesh of nets, or with any questions of that kind?—I think you had better not in a Bill, which is, after all, experimental to a great extent.

138. That the first step should be to establish a close season?—Yes. I may say that I saw in a very important paper the other day a report of a strong speech against your Bill, on the ground that it did not deal with nets; but it seemed to me that the gentleman who made that speech simply desired to prohibit the use of nets in a close season, which your Bill does. I do not think he really understood the scope of your Bill.

139. But the only opposition, as far as you know, to the Bill, has been, that it does not go far enough in the way of restriction; is that so?—There is a strong feeling in certain quarters that the Bill ought to have struck more boldly at the netting and less at the anglers; but I think the people who expressed that view had not seen that your Bill does prohibit the use of nets during the three months of the year when they chiefly wish it to be prohibited.

Chairman.

140. With reference to the Lake district, you suggest the prohibition of nets of a certain size?—Yes, but there we have made an elaborate inquiry and heard every person interested, and therefore we are able to make that recommendation. If I had had the opportunity of making that inquiry in other parts of the country, I very likely might have come to the same view; but I do

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do not think it would have been wise to do so without much more knowledge.

*Mr. Mundella.*

141. And you would establish special legislation for the Lake district, because, as I understand, you set up a Board of Conservators?—I set up a board of Conservators there, as I should like to set up in all rivers which are frequented by trout and char.

*Chairman.*

142. Universally throughout the Lake district?—Throughout the Lake district they have either trout or char, one or the other.

*Mr. Mundella.*

143. With respect to private waters, you said it was a very doubtful question as to what were and what were not private waters?—There is nothing more difficult than to answer that question.

144. But this Bill does not deal with that question at all; it is not at all affected by that question?—No, I imagine you avoided that because of the extreme difficulty of dividing the two.

145. And if private owners are exempted, it is for those owners to establish that they are private owners, just as they have to do at present without the Act?—Yes; I imagine that if a private owner was allowed to give licenses to anglers to allow angling during the close season, no private owner, unless he had a very clear right, would give that license.

146. You mean that any person who had leave to fish from the owner, might fish without liability to prosecution?—Yes, that is what I mean. If you think that that leave can be given by word of mouth and not in writing; I do not lay any stress on the writing.

147. By the word "license," you did not mean a license granted by any authority?—Certainly not.

148. You meant nothing more than the permission of the owner of the water?—I meant what I believe is the meaning of the word "license," *licet*; "it may be allowed."

149. Now, with respect to the Aquaria and the Zoological Gardens, you were hardly sufficiently explicit, I think, on that point; do not you think that it would be necessary to introduce something in the Bill that shall facilitate the feeding of those interesting birds the darters, that they shall be entitled for scientific purposes to these fish?—I cannot help thinking that it will be perfectly possible for the Zoological Gardens to catch all the fish for those three months, before those three months begin; but if Mr. Bartlett, the manager of those gardens, were to assure this Committee, or me, that it was impossible, I have so much confidence in his opinion, that I should at once waive my own.

150. Then you know there is a certain importation of live fish, gold fish, for instance, in large numbers; there is no provision, I think, in the Bill to meet that case?—I suppose when you drew the Bill, you probably did not contemplate the sale of live gold fish; I heard the point suggested at the meeting to which you have referred, and of course the Bill was not intended to apply to the sale of ornamental fish of that kind.

151. It may be necessary to exempt the sale of live fish of that kind from the Bill?—Yes.

152. You said, I think, that Mr. Cross instructed you to inquire with respect to dynamite, O.110.

*Mr. Mundella—continued.*

and to extend your inquiry to inland waters?—Yes.

153. Did you find complaints that dynamite had been used in inland waters?—Yes; we sat at Newark and Nottingham, and it had been very extensively used in the neighbourhood of both those places, both in the canals and in the Trent, and in some of the tributaries of the Trent. Very great destruction had been done by its use, and incidentally, very great damage to the banks of the river, and to the banks of the canal; you cannot use an explosive of that character in a canal without running the risk of doing damage. The effect of the use of dynamite is extremely prejudicial on the fish as food; the fish killed by dynamite will not keep for the purposes of food, and they are certainly inferior as food; that applies both to sea and river fish.

*Mr. Dillwyn.*

154. What is your definition of "coarse fish"?—I am not very fond of the term "coarse fish," it was put into my mouth, but I mean what is usually meant, fresh water fish, other than trout, char, and grayling.

155. You view grayling as fine fish?—Yes; and as you have mentioned the word grayling, I may say that I have very little information myself about grayling; I do not profess to know a great deal about them, and I think it is desirable that this Committee should have some person who is thoroughly acquainted with a grayling river before them before they make their report.

156. You would not call sewin and guinad coarse fish?—Sewin are a migratory fish, and guinad are char, I think. I do not include any fish of the salmon family in the term.

157. In your definition of private waters, would you make any difference between the legislation for private waters where there is no connection with a large fishing river and where there is such a connection?—I should be very glad to do so, if I could; but the difficulty is, that almost every pond has an outfall into some river. There are comparatively few ponds that have no outfall. Take, for instance, Hawes Water, which is absolutely the private water of Lord Lonsdale; it is the head water of the Lowther. Again, take the private waters in the Norfolk and Suffolk district, all those lakes are connected with some river; and that is the case with a great many ornamental lakes in gentlemen's own gardens and grounds; they are the head waters of some river that has been dammed up for ornamental purposes. I do not mean that it is so as an invariable rule, but it is very frequently the case.

158. You spoke of Windermere; you said that Lord Lonsdale owns the whole of the soil?—The whole of the soil.

159. Is he riparian owner all round?—No, I think not; on the contrary, of very little of it.

160. Does he hold it in fee, or as a manorial owner, or how?—I understand that he holds it as a direct grant from the Crown. I believe the Crown originally granted the fisheries to perpetual tenants; that the Crown rights were granted to Lord Lonsdale's ancestors, and that Lord Lonsdale receives a very small sum of money from the holders of the fisheries, a small quit-rent.

161. In fact, he owns as representing the Crown?—Yes, as representing the Crown.

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162. You

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162. You said that a great many fish were killed by being shot?—I think I said that a good many fish were shot in the spawning season; I was thinking of pike, which come especially up the small ditches to spawn in the month of May; they are then in shallow water, and are very easily shot; it is not an easy thing to shoot a fish in deep water, but it is an easy thing to shoot one in a shallow ditch.

163. Do you know whether a great many fish are shot?—That depends upon what you mean by a "great many."

164. Have you seen a great many people, yourself, who have shot fish?—Yes.

165. There was mention made just now of a large export of fish from Ely, has that been going on there for some time?—I only know from the information given to me at Ely station. I was told that it had been going on there for some years.

166. Do you know whether it has increased or decreased?—I cannot tell you; my informant said that there were tons of fish carried away, chiefly to Birmingham, I think.

167. And would the coarse fish otherwise increase or decrease. If rooks are not shot they will disappear. Do the large fish eat the little ones?—Certainly. I have no doubt whatever that no water will support more than a certain number of fish, any more than any field will support more than a certain number of sheep; but the only thing for legislation to do, is to take care that there shall be an adequate number of fish in that water.

168. If this large number of fish was not taken out of the water, do you suppose there would be any great difference in numbers?—I have no doubt from what I heard in that case, that an undue number of the small fish were killed, and that, therefore, there are too few left to grow into large fish. That is why the yield of the Norfolk and Suffolk Broads has been very much reduced of late years.

169. I suppose there is a large sale for these fish that came from Ely?—I think those fish will command a regular sale of 2*d.* or 3*d.* a pound.

170. Do you suppose that there would be much sale if the same sort of fish were allowed to grow large?—I believe you may have an indefinite sale for fish of that kind at about 2*d.* a pound; that you can sell any amount of them.

171. Where there are coarse fish in rivers, where there are trout and char, the coarse fish destroy the trout or char, do they?—Some of the coarse fish do, not all of them; for instance, carp are vegetable feeders, and would not destroy them.

172. But do trout also destroy other fish?—I have no doubt that trout are very destructive things in their way, but they are very valuable also.

173. Are not minnows used for angling at times?—Yes.

174. You would not, if this Bill were passed, be able to catch minnows at the time you wanted to fish?—I propose to prohibit angling in those months.

175. There are certain recommendations which you make in your report; were those recommendations the expressions of your opinion, or were they an expression also of the feelings and wishes of the people in those districts?—They

Mr. William Lowther—continued.

were the conclusions of my colleague and myself upon the opinions which were expressed to us in the fishery districts.

176. And were they in harmony, do you think, with the feelings of the people?—I think they were in the main in harmony with the views of the majority of the people whom we examined; some people wished to go further; some people, perhaps, did not wish to go quite so far.

Mr. W. S. Stanhope.

177. If I understand you rightly, you propose to extend to trout and char the provisions of the Salmon Fishery Acts?—Yes.

178. There is a difference in the fine under those Salmon Acts for having fish in possession during the close season to what there is under this Bill; do you think it is desirable that they should be brought into harmony; in this Bill it is provided that persons shall be liable, on summary conviction, to a fine not exceeding 40*s.*; the other is a fine of 1*l.* for each fish in possession?—I think we are speaking of different things. The penalty in this Bill is for the sale or taking of fish other than trout or char in the close season; the penalty in the Salmon Acts is for taking trout and char, which are much more valuable fish; and there the penalty would be higher.

179. We propose to extend to the rivers not under the Salmon Protection Acts, the Salmon Acts?—Only so far as trout and char are concerned, and there the penalty would be the penalty named in the Salmon Acts.

180. What is the penalty under the Salmon Acts, which would now apply to trout and char, for catching trout and char in the close season?—The penalty is forfeiture of the trout and char, and a penalty not exceeding 2*l.* for each offence; the penalty in this Bill has been translated into shillings; it is 40*s.*

181. Then, would you include grayling also?—I believe, as far as I know, that the close season, from the 15th of March to the 15th of June, will do for grayling. I have spoken to a proprietor on the River Teme, one of the chief grayling rivers, who told me it would do, but I do not speak positively on that point.

182. There are rivers where the chief fish are trout and grayling; should we not get into some difficulty between the close time of the two not agreeing?—The close season for trout must be at Christmas time; that is essential, whatever Acts of Parliament you make you cannot alter the seasons at which fish spawn.

183. Where grayling and trout are the chief fish, such as in the Derwent, in Derbyshire, you would get into some difficulty, would you not?—At present you have a close season for trout, and it is merely giving a close season to grayling.

184. You propose to prevent persons netting in the close season, in their private waters?—I think so.

185. Does not that present some difficulty as to the regulation of private waters; for instance, is it not the case, that supposing you have perch and roach, the roach will increase to such an extent as to destroy the perch, and you therefore may wish, at particular times, to get rid of the roach, if you can, by netting or otherwise?—I think that object could be accomplished by netting out of the close season. I am quite aware that there is some inconvenience inflicted, but I think

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Mr. W. S. Stanhope—continued.

we must ask the private owners to give way a little for the good of the public.

186. On the whole you think that a hard-and-fast general Bill would be better than regulating it by bye-laws, in the same way as is done under the Norfolk Act?—I think so; I think the Norfolk conservators are a very influential body of people, but I see no means of getting such a body in Yorkshire, for instance.

Mr. James Duff.

187. I want to ask you this; I noticed that in answering the questions which have been put by Mr. Mundella, you have not mentioned the Norfolk and Suffolk district; are you of opinion that having that act, as we have, we require the close time mentioned here for angling?—No; I think I said that where there is a Board of Conservators I would allow the Board of Conservators to give licenses to fish in the close season; and I had in contemplation there your own case, because I know you think a close season for angling unnecessary.

188. How would you propose to carry it out?—I think there would be no difficulty whatever in authorising your clerk to give anybody who applied to him, on payment of 1 s., or 6 d., just to cover the expense, a license to fish in the close season with rod and line.

189. You were present at a large meeting which we had at Norwich sometime ago?—Yes.

190. Was not a feeling expressed very strongly there against putting a stop to angling?—No doubt; and no doubt Norfolk and Suffolk would be one of those places where the close season for angling is not really required; you have got an enormous expanse of water, and comparatively a small population; but then you have to contemplate the case of other places where the water occupies much less space, and where the population is much more dense.

191. I want to know whether you think that we should be justified in asking to be excluded from the operation of this Bill?—I suppose you would be perfectly justified, because you have set an example to the country by obtaining legislation, but I think that exceptional legislation is always undesirable.

192. Have you not heard the opinion expressed there that it would be impossible in Norfolk and Suffolk to carry out this Act?—I do not think it would be impossible if my suggestion that you should be allowed to issue licenses for angling were adopted.

193. But how are you going to put the law in operation?—I should say that Norfolk and Suffolk is the district where it would be the easiest to put the law into operation, because you have the machinery of a board of conservators, who would appoint people to do it.

194. The stopping of netting is a very different thing from the stopping of angling?—No doubt there would be a certain amount of difficulty, but if the Conservators wished to do it they could do it to a great extent.

195. Do you not think that if Clause 4 of the 6th section were carried out, then the other clauses would not be so necessary; if you prevent the sale of fish in the close time, I mean?—I attach much more importance to the fourth sub-section than any other sub-section of that clause; but I think that in a place like York-

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Mr. James Duff—continued.

shire, where there is a very dense population, you want to go a little further than the sub-section goes.

196. Then, in fact, you think that this Act is to a certain extent local; that it is much more required in some places than in others?—I think it is required mostly in the densely populated districts.

197. And in some parts not at all?—There is no doubt that there are a great many gentlemen's private lakes which are admirably preserved, and you cannot improve the preservation; just in the same way, if you had no game laws, there are a great many places where the game would be equally well preserved as it is now; but that is no reason for repealing the game laws.

Mr. Rodwell.

198. The anomaly would be that the private owner cannot exercise his own right if this law is passed; that is what you say, that the private owner can protect his own property at present if he pleases?—In a great many cases he can.

199. And, therefore, this law is unnecessary as far as he is concerned?—Not as far as all private owners are concerned; certainly not unnecessary in the case of private owners of waters connected with navigable rivers.

200. Do you think that this legislation is necessary for the purpose of protecting the food of the people, or their amusements?—I think on both grounds.

201. Reference has been made to angling clubs; are there not a great many thousands and hundreds of thousands of people who enjoy the innocent sport of fishing who are not members of angling clubs at all?—Certainly, a great many people.

202. Do you not think that it would be a hard thing to deprive them of the power of angling with rod and line during the months of March, April, and May; would it not be a hardship on hundreds of thousands of Her Majesty's subjects, young and old, if they were debarred from fishing with rod and line during the months of March, April, and May?—I think every penal law involves a hardship on some one, but that does not show that it is wrong.

203. The effect of your penal law would be to prohibit any person during three months from fishing in any duck-pond or ditch in England?—Not of the penal law I recommend.

204. I take the Bill as it is, "The period between the 1st day of March and the 31st day of May, both inclusive, shall be a close season;" then the penalty comes (this is your penal law): "If any person during this close season fishes for, catches, or attempts to catch or kill any fresh-water fish, he shall, on summary conviction before two justices, be liable to a fine not exceeding 40 s."—I have expressly said in my recommendation that I do not propose that that shall apply to any person fishing with a rod and line in a private water, with the permission of the owner of that water.

205. But you would not define what a private water is?—I leave that to the owner to define.

206. In passing a penal Act, it is necessary to be very particular; now what is there passing through your mind as a private water on which a person would be exempt from the penalty?—I have no doubt that every lake in every gentle-

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Mr.  
Walpole.

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Mr. Rodwell—continued.

man's park in the country is private water; I have no doubt that, with few exceptions, every non-navigable river in the country is a private water; but I have no doubt that there are certain cases of non-navigable rivers where the right is disputed, and which, I imagine, are not private waters.

207. Do I understand you to propose to introduce an exemption from these penalties for all private pieces of water, and all private streams where the owner has a private right of fishing?—I propose in those cases that the owner should be authorised to allow his friends to fish.

208. Irrespective of what fed that water, or where the stream went to?—Yes; I trust in those cases to the owner's discretion not to abuse the right; I do not see any other line to take.

209. You said that there would be no greater hardship in a school-boy being prevented fishing in the holidays in his father's pond, than there is in his being prevented shooting wild birds during that time?—I do not think I said so.

210. That question was put; but is there not a great distinction between the case of the wild birds and the case of the fish?—I think I said that the Act as to the wild birds was inoperative. I see no distinction in principle between prohibiting a boy shooting a non-migratory bird in your garden, and prohibiting his catching a non-migratory fish in your pond.

211. The fish once in the pond cannot fly away, but the bird may be in my neighbour's ground, or in anybody else's, in 10 minutes, is not that a distinction?—I think that, practically, these non-migratory birds do not fly great distances.

212. Do you call a partridge a migratory bird?—I was not speaking about partridges.

213. There are non-migratory birds that will fly from your garden into mine, or *vice versa*, and a fish cannot?—Yes; but if you will allow me to say so, the fish can swim from the water of one private proprietor to the water of another.

214. But not if it is in an inclosed pond?—You asked me, I thought, with regard to fish in rivers.

215. No; you committed yourself to the proposition that the principle is the same applied to fish in a pond as applied to birds in a field?—I still think so.

216. Is not the bird the property of A, B, C, or D, whereas the fish is the property only of the person in whose pond it is?—In the case of the pond, no doubt the fish cannot get out of the pond.

217. You say that there is a great deal of fish got up from Ely; what time of the year does that go?—I am told in February and March.

218. It supplies an enormous amount of food during that time?—Yes.

219. February and March?—From the information I received, it was from the middle of February to about the middle of April.

220. If this Bill was law, it would prohibit entirely the sale of that fish?—Certainly.

221. Do you not know as a positive fact that in a fish-pond, if you get too many fish in that pond, unless you net them, and take them away, you deteriorate your fish, and they all become small and good for nothing?—Yes; a certain amount of water cannot support more than a cer-

Mr. Rodwell—continued.

tain number of fish, just as a field cannot support more than a certain number of sheep.

222. Does it occur to you that if these fish were left to multiply in the way you propose, they might come to the same condition in the Ouse, and the sluggish rivers in Cambridge-shire?—Certainly, if they were left to multiply; but this Bill contemplates that they should be netted for nine months out of every twelve.

223. Admitted that there is a great waste of fry, is it not a fact that still many of those streams abound with fish?—Some of the streams in this country, no doubt, abound with fish; many others are over-fished.

224. What parts would you specify as being so?—I should specify the whole of the navigable waters of Norfolk and Suffolk as over-fished; and I would instance also the fact that the Thames was immensely over-fished till this close season was established.

225. Norfolk and Suffolk has a close season for netting?—Yes.

226. All the fish that is of commercial value is netted fish, is it not?—I think almost entirely.

227. Do not you think that it would be sufficient to enact that for certain periods of the year none of this coarse fish should be sold, without any of these restrictions or these other penalties to say that no fish shall be sold for those three months?—I can only answer you by saying that the board of conservancy for the management of the Thames did not think so.

228. Do you think that the Thames, with the large population of London flocking to it to fish constantly, presents similar conditions to the cases of the rural districts of England?—It presents analogous conditions to Yorkshire or the Midland Counties, where the population is quite as dense.

229. Then you have answered "yes" to my question, because you have put the rural districts of England aside; I ask you do you agree with me that the same causes do not exist for legislating in those rural districts as in a populous neighbourhood like that of London?—I have no doubt whatever that in the great majority of the cases there is not the same cause for legislation in rural places as in populous neighbourhoods.

230. Then in the great majority of the counties of England sufficient protection would be afforded by prohibiting the sale during those three months?—I said in the great majority of the rural places, not in the great majority of the counties of England. In the rural districts of England, if they were exempted from the operation of the Bill, a sufficient protection would be afforded by prohibiting netting.

231. Prohibiting the sale is what I am speaking of; prohibiting the sale during those three months?—I think you might there, in many rural districts, open the door to very great abuse, and the rivers might be swept by poachers.

232. If you prohibited the sale, what would be the use of poachers taking the fish?—If you allow an animal to be caught, even if its sale is illegal, the poacher will find some means of disposing of it.

233. What is the value per pound of this fish that you talk of, 2½ d.?—Two pence or three pence a pound.

234. Do not you think it would take a very long time if you are to suppose that any poacher would turn his hand to catch fish with a rod and line



*Mr. Rodwell*—continued.

line which would bring him in only 2½ d. a pound?—I beg your pardon; you asked me whether the prohibition of sale would be a sufficient protection; that implied that you were going to allow netting to go on.

235. If you did allow netting to go on, what then?—My answer was directed to the assumption that netting might be going on in these cases.

236. How would the poacher get rid of his fish that he netted; if he got a ton of fish, how is he to get rid of it with his liability to penalties?—I am sorry to say that I am afraid he would be able to dispose of it in the black country without much difficulty.

237. You think that it would be an inducement to poach?—It might be.

238. As to the Wild Birds Act, when you say that it has been inoperative, do you mean that there have not been convictions, and that the Wild Birds Act has not been applied with great benefit in various places?—I am not aware of any places where it has been applied.

239. Do you mean that it is a dead letter?—I think almost entirely, as far as my information goes.

240. Where did you get that information from, because I have seen cases of people being had up under the Act?—They have escaped my notice if it is so. We are talking of the same Act, I suppose, the Wild Birds Act, not the Wild Fowls Act.

241. No, not the Wild Fowls Act, but the Wild Birds Act?—I have not noticed such cases.

*Sir Robert Buxton.*

242. I will ask you whether you have considered that during your proposed close time there are two bank holidays, and how far that would affect large towns; do you see any objection to the exception of those bank holidays for the sake of those who might wish to use them for fishing?—I had not thought of that subject before. Of course I should be very sorry to recommend an injustice to any one. I think if the conservators of the district were allowed to give leave, and owners of private waters were also allowed to give leave, the holiday makers would manage to get the day's fishing.

*Mr. Bristowe.*

243. You mentioned the districts of the Thames and the Trent; now you are very familiar, I think, with the Trent district?—Tolerably.

244. And is there a very strong feeling in favour of this Bill, so far as you are aware, in that district?—I believe so.

245. And throughout that district angling is an extremely popular amusement?—Yes, especially round Nottingham.

246. In Nottingham, Newark, and right away downwards?—Yes.

247. And very much practiced?—Very much indeed.

248. And they take a very great interest in this pleasure?—Yes, very much so.

249. Are you familiar with the result of the operations of the Thames Conservancy?—I believe that the result of their close season has been to increase the take of fish in the Thames very materially.

250. And the operations of the Thames Conservancy are very much the same as the opera-

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*Mr. Bristowe*—continued.

tions provided under this Bill?—Yes, I think so.

251. Therefore you consider the experience gained under the Thames Conservancy Act has a good deal of bearing on the provisions of this Bill?—Yes, I think so.

252. And so far as experience goes, it is entirely in favour of this measure, so far as you are aware?—I think so.

253. Then having regard to the question of amusement, is it your opinion that this Bill, following the experience of the Thames Conservancy Regulations, really does tend to improve the amusement and increase the amusement of the public in this matter of angling and fishing?—Undoubtedly.

254. And though it may put a stop to it for certain periods of the year, yet that it is beneficial, having regard to the other nine months?—I think so. I think the majority of anglers are quite aware that they must give up something in order to ensure the perpetuity of their favourite amusement.

255. Therefore, having regard to the amusement part of the question, this measure is really in favour of the anglers?—Certainly; I have no doubt of that whatever, myself.

256. I think you told the Chairman that having regard to the question of food, you also think that the experience on the Thames is in favour of an increase of food being the result of the provisions of this Bill?—Yes.

257. The honourable Member asked you just now about its being hard to deprive the clubs of their three months' amusement; you do not think there is much of that?—No, I think the most intelligent of them would be glad of it.

258. And as to the question of a private pond belonging to a particular person, you would, as I understand, exclude it from the operation of the Bill?—I would practically allow the private owner to exclude it by giving leave to fish.

259. But where a private fishery is a fishery on a stream, whether navigable or otherwise, what would you do?—I would again give the private owner leave to fish, because I do not see how to define the difference between a pond and a stream, as many ponds are really streams that are dammed up for ornamental purposes.

260. I think you said you are not familiar with the grayling question?—I know it slightly.

261. What, irrespective of trout or char, would be the proper close season for grayling?—I believe, to the best of my knowledge, the 15th of March to the 15th of June would be a proper close season for grayling.

262. You know the grayling rivers in Derbyshire?—Yes.

263. Those rivers are trout and grayling rivers?—Yes, they are beautiful rivers.

264. And that period from the 15th of March to the 15th of June, you think, would suit grayling as far as you are acquainted with them?—Yes, but I cannot speak positively on that subject.

*Mr. Stafford Haward.*

265. With regard to the Lake district you propose to make the close season for freshwater fish, other than trout and char, universal throughout England and Wales, excepting where a conservancy board may exist, and may make variations or exceptions under bye-laws sanctioned by the Home Secretary?—Exceptions, not variations.

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266. But

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Mr. Stafford Howard—continued.

266. But in the case of salmon, it is necessary to make differences in the close times?—Yes, we have slight variations in close seasons in the case of salmon; but the great object of my colleague and myself in administering the Salmon Acts has been to make those variations as slight as possible.

267. With reference to freshwater fish, it is not necessary at all, you think, to have those variations?—I believe it is not.

268. In part of the Lake district, where, I believe, there is no such board, the proprietors could not obtain the exemption of pike and perch from protection where they are regarded as vermin, unless they formed themselves into a conservancy board, could they?—It is perfectly open to the proprietors to apply for the formation of a fishery district at once, and it would be very desirable that a little pressure should be put upon them to do so.

269. There was some opposition to the idea of forming conservancy boards in Cumberland?—A little opposition, arising from motives which I think were erroneous; and I think with a little pressure the proprietor would be induced to give way.

270. You think they ought to form such a board, and that the best way to encourage it would be to prevent their being able to get these exceptions, unless they do form such a board?—I think that is one way.

271. How would you enforce this Act if there was no board, and they refused to form one; would it not be a dead letter?—I think not, where there are fishery associations. Those places where there are no boards, and where there are no fishery associations, are probably those where the population is very sparse and scattered, and where the Act is not very much required.

272. Have you seen these draft amendments that are proposed (*handing a paper to the Witness*)?—Yes.

273. Will you tell me what you think of the first proposal to amend section 5, by striking out the words trout and char, in line 16, page 1, and in lieu thereof inserting the words "all freshwater fish"?—I certainly should not recommend the Committee to do that. That would make it illegal to use any light, any otter, lath, or jack, snare, wire, or spear, gaff, strakhall, snatch, or other like instrument, for catching or killing freshwater fish; and also make it illegal to use any fish-roe for the purpose of fishing freshwater fish. I think that would excite great opposition. There was a case the other day at Worcester, I believe: the case of a person using ordinary fish-roe for fishing for freshwater fish in the Severn, which may illustrate my answer. The man was fishing with some weeds on which some freshwater fish had spawned, and he was had up for that; I should be very sorry to make that an offence by Act of Parliament; and if those amendments were incorporated in the Bill I think that would be the result, and it would be thought vexatious by a great many people.

274. As regards the other sub-sections it is proposed to insert after Section 6, do you think "the period between the 1st day of October and the 15th day of February in the succeeding year shall be a close season for trout and char," a proper sub-section?—That practically extends the close season which I have recommended

Mr. Stafford Howard—continued.

from the 1st of February to the 15th; it makes it 15 days later in February; I have no doubt that would be too late for the Thames, and the South of England generally; therefore, I think the Bill had better remain as it stands.

275. It would be possible, if they form themselves into a conservancy board, to vary the close time, although you do not approve of that?—If my recommendations were adopted, they would have power to vary the close season to the 28th of February, if they chose; but then it would be legal to sell the fish in February; you would not prohibit the sale in the rest of England of fish fit for the market.

276. Would you not prohibit the sale in that particular district?—I would simply stop the catching. I am very strongly of opinion that where you make a law of sale it must be universal.

277. You think it would be equally efficacious in that district to stop the catching without extending the prohibition to the sale?—Not equally efficacious.

278. But efficacious enough?—I think it would effect a great deal.

279. The next proposed sub-section you would approve, of course, to prevent the catching?—Those following sub-sections, I think, are practically provided for by the Bill before the Committee.

280. And, therefore, it would not be necessary to insert them, you think?—It would not. The only difference is that the penalty in these draft amendments is higher than that recommended by Mr. Mundella.

281. Then, taking the proposed sub-section which refers to the size of the mesh to be used, of that, I think, you approve?—Yes, I have no objection to that.

282. With reference to the Lake district only?—With reference to the Lake district. It is in accordance with the report which Mr. Buckland and I made on the Lake district.

283. Then you approve of that sub-section being added to the Bill?—For the Lake districts.

284. With regard to sub-section 6, No. 1, I think you do not approve of limiting the setting of long lines?—We found on our inquiry that there was a great difference of opinion as to the desirability of prohibiting night lines and trimmers, and other instruments of that character for fresh-water fishing; and I think the proprietors of Ulleswater were certainly opposed to any such prohibition. I think if such an amendment were inserted in the Bill it would provoke a great deal of opposition, which it is desirable to avoid.

285. Do you think those sort of lines do much harm?—A certain amount of harm. I think that night lines sunk to the bottom with dead bait, are very proper things for catching eels with; but I have no doubt that a certain number are set with floating bait, with the intention of catching trout; but I do not see how in any Act of Parliament you are to distinguish between the two kinds of instruments.

286. Therefore, you would not recommend the insertion of that sub-section?—No, I think not.

287. As to the last proposed sub-section, will you give me your opinion now as to the penalty attaching to persons having in their possession "any engine or device whatever which shall appear

*Mr. Stafford Howard*—continued.

appear to have been used, or intended to be used for the purpose of taking, killing, or destroying fresh-water fish in any river, rivulet, brook, stream, lake, tarn, or other water, contrary to the provisions of this Act?—I am not quite sure what the scope of that provision is; it ostensibly imposes a penalty on any person possessing any engine or device for taking fish; and it seems to me that it is a very strong thing to say that a person possessing an instrument shall be assumed to have it for purposes that are illegal.

288. Does it mean that the instrument must be one that is specified as not to be used in the Act; do you think that the words "contrary to the provisions of this Act," refer to the description of engine?—It is so very wide: "Any person having in his custody, possession, or keeping, any engine or device whatever, which shall appear to have been used or intended to be used for the purpose of taking any fresh-water fish," and so on, "contrary to the provisions of this Act." Now it might mean apparently that if I have something which appears to be an illegal engine in my own house, I am liable to a penalty of 5*l*. I cannot help thinking that that is very vexatious. Then I assume that it is quite as important to preserve salmon as fresh-water fish. The Salmon Acts give power to apply to a magistrate for a warrant to search suspected premises. I think that is a very proper power, because the magistrates can exercise a discretion; but to give that as a general power, to say that anybody having in his house something which somebody else shall think is illegal shall be liable to a penalty, is a provision which ought not to be inserted in any Act of Parliament.

289. Would you suggest a clause enabling the magistrates to search any premises in a district in which there is not a board?—I think so; if you like, you might extend the provisions of the Salmon Acts to all fish for this purpose. The provisions of the Salmon Acts are these: they are in the 34th section of the Act of 1861, "It shall be lawful for any justice of the peace, upon an information on oath that there is a probable cause to suspect any breach of the provisions of this Act to have been committed on any premises, or any salmon illegally taken, or any illegal nets or other engines to be concealed on any premises, by warrant under his hand and seal to authorise and empower any inspector, water bailiff, conservator, constable, or police officer to enter such premises for the purposes of detecting such offence," and so on. I am not at all sure that that would not apply to any engines that Parliament might make illegal; but if there is any doubt about its application to other fish, it is very easy to extend it.

*Chairman.*

290. I will ask you this general question; it seems to me that the effect of your evidence is, that you wish for a close season to be fixed by Act of Parliament, and not to be variable?—I think so.

291. And in your view this close season should apply, not only to nets, but to angling?—To angling as well as nets, except in private waters, where the proprietor chooses to give leave.

292. And in your opinion it would not be sufficient to prohibit the sale of those fish in the close time?—No, not in populous districts.

293. And when you speak of having seen much of members of angling clubs, and say that they

*Chairman*—continued.

were in favour of a close time, I understand you to say that these angling clubs of which we have been speaking are in favour of such a close time as you suggest; that is one applying to angling, and not only to the sale of fish?—I think the majority of them are; in Norfolk they are not.

294. I was going to ask you a question about the carrying out of the expenses under the Norfolk and Suffolk Act; I do not see any provision under the Act for raising a revenue?—They have no provision whatever for raising a revenue; the Norfolk and Suffolk conservators are very influential and wealthy people, and I believe they have succeeded in providing adequate funds for the present; but I am afraid that other parts of the country will not be so fortunately circumstanced.

*Mr. Mundella.*

295. You were asked some question about clubs, and whether the expression of opinion you heard in favour of the Bill was not generally from members of clubs; now is it not the fact that the men who are most interested in angling are generally members of clubs?—I do not think it is so in the upper classes of society; I think in the lower classes the great mass of them are members of some club.

296. Have you heard that there are between 7,000 and 8,000 members of clubs in Sheffield alone?—Yes.

297. That will include the bulk of the anglers there, I suppose?—Yes; where you get anglers in a town, they are probably members of a club.

298. You were asked whether it was not a hard thing to debar hundreds of thousands of persons who might not be members of clubs from fishing with rod and line; but do you not debar the members of clubs, who are, after all, the keenest sportsmen?—Of course there are a great many gentlemen who have waters of their own, or whose friends have waters of their own, and who have no necessity, therefore, to join a fishery association, and some of them are very keen anglers.

299. I did not in my question contemplate landed proprietors, but residents of the large towns among the working classes?—I apprehend that the legislation is really desirable in populous districts, and it is extremely difficult to get that legislation without applying it to the whole country.

300. And if there were any hardship at all, it would be much greater upon the keen sportsman than upon the amateur who might go out once in a year, or even only once in a lifetime?—Yes, to a certain extent that is so.

301. And you think that they would prefer nine months good fishing to 12 months very bad fishing?—I think that is the general opinion of the anglers.

*Mr. James Duff.*

302. Do you not know that if this Bill was passed it would deprive a large number of people of the power of indulging in that article of food?—That is to say, you would deprive them of the food they now get, when, for instance, a working man goes and catches a dish of fish for his supper.

303. You would give the rich man permission to catch it?—I should give the proprietor of the fishery the power to allow anyone, rich or poor, to fish in his water, and I should give the Board of

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Conservators

*Mr. Walpole.*  
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Mr.  
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Mr. James Duff—continued.

Conservators power also to give the same leave; I draw no distinction between rich and poor.

304. You give the rich power virtually to exclude themselves from the Act?—If they like to do so. I would empower them to authorise their sons, or any other persons they choose, to to fish in their waters.

Mr. Rodwell.

305. Would not the same observation with regard to food apply with still stronger force to the very thinly populated district in the fen country, where there is an enormous quantity of these fish, and where people do live on them constantly; would not it be stronger in the fens in Cambridgeshire?—I am not well acquainted with that country; but I thought those were private waters.

Mr. Mundella.

306. But supposing they were public waters, if the object is to supply food, is it not better to have plenty of food for nine months than a very limited supply for 12?—I imagine that the honorable Member means this: that there are certain places where the population is not thick enough to fish out the fish by *bonâ fide* rod fishing, and that is a proposition to which I entirely assent; I really do not see how to except those places, except in the way that I have proposed, by allowing the private owner and the Board of Conservators to give licenses. If any better

Mr. Mundella—continued.

plan can be suggested I am not wedded to my own.

Mr. Dilkyn.

307. Is it your opinion that the fish generally in unpreserved waters, in public waters, have diminished in numbers of late years?—Certainly, in populous districts.

308. Very largely?—In some cases very largely.

309. But where there have been endeavours to preserve them, as in the Thames, you say there has been an increase?—Yes; I must qualify my answer in this way, that the Salmon Acts have indirectly preserved these coarse fish in a great many ways by preserving the other fish; a great deal of illegal netting has practically been put down.

310. Are you of opinion that waters containing a great number of the coarse fish are sweeter than waters which have few; do not coarse fish act as great scavengers for the waters?—I have no doubt they do.

311. You, in fact, think that a great number of coarse fish tends to make the waters sweeter and better than otherwise?—Yes, they are both purifiers and tests of purity.

Mr. Rodwell.

312. When you talked about food for nine months, is it not the fact that during the winter months, four months, at all events, there is very little fish except pike, and very little catching fish by angling at all?—Very little now.

Mr. FRANK BUCKLAND, called in; and Examined.

Mr.  
Buckland.

Chairman.

313. It is unnecessary also to ask who you are; we know that you are one of the Fishery Inspectors, and have had great experience in the culture of fish, and are acquainted with most of the rivers in England, both the salmon rivers and the other rivers?—Yes.

314. You have seen this Bill by which it is proposed to give a close time to fresh-water fish?—Yes.

315. And no doubt you have considered it?—Yes. The object of the preservation of all fish has now become of national importance, more especially so is the preservation of non-migratory fresh-water fish, commonly called coarse fish, which, I think, might be better designated as "white" fish, as compared with red-fleshed fish.

Mr. Mundella.

316. I believe the anglers resent the term "coarse fish" very much, do they not?—They do.

Chairman.

317. You are now going to speak of the importance of protection to these fish that you prefer to call white fish, from the point of view of a food supply?—And the national importance, as I shall be prepared to show; it is more than a matter of food supply. There are now over 22 millions of people in England, at least the census of 1871 so gives it, and they all require food for the mind and food for the body. The angling interest has now become quite a science; as the rich man can go to Scotland and elsewhere and catch salmon, so the poor labourer, and agricul-

Chairman—continued.

turist, and artizan ought, in my opinion (formed after 11 years' careful study of the question), to be allowed also to have his fish; and if you will allow me I will point out to the Committee what has been done in our time, and the gradual change that is coming over the English rivers.

318. Do I understand you now to be intending to point out to the Committee that the supply of what we will call fresh-water fish has been for the last few years diminishing in the rivers; is that so?—Yes. There will be no fresh-water fish at all if we go on as we are going on now. There are, under the superintendence of Mr. Walpole and myself, 41 salmon fishery districts; and we have the honour and privilege, under yourself and Mr. Cross, of superintending these, and reporting to Parliament upon their present state and prospects. We have ascertained that the weirs in many of our salmon fishery rivers are gradually transforming the nature of the rivers. In a rapid running stream you will always have such fish as salmon, salmon trout, and many sorts of salmonidæ; the instant you put a weir across a river you block it and get pools formed, and the consequence is that at once you create a different class of fish. If you look at this diagram (*pointing to a diagram*), you will find that where you get a river rising from mountain districts, and running at an acute angle, there you will always get *salmonidæ*. Here (*pointing to another diagram*) you get the origin of the river, not so much elevated (as, for instance, on the chalk downs of Hampshire), you get your river at a less angle, and you at once begin to get trout,

*Chairman—continued.*

trout, some salmon, but always trout. Then you get to another great and important form of "fish farms," the levels, flats; these may be designated as the great fish farms on the north-west coast of the country in the Lake district; there you have trout and char; these also are very capable of bearing salmon. Then on the other side of England you have the Norfolk Fishery Broads, and also the Suffolk Fishery Broads, capable of being cultivated, and without doubt now in progress of bringing very large quantities of fish food into the English markets.

319. You were speaking, as I understand, of the change that has been brought about in the English rivers by the making of pools, owing to the construction of weirs, and so on?—Yes.

319\*. And does that observation of yours tend to point to the fact that the cultivation of freshwater fish is becoming of more importance in the rivers in England than formerly?—It has become of so much more national importance that really, if we do not attend to it, the other nations will laugh at us. The French are doing it, and the other nations are doing it, except the English people. And if I may go to another point, it is the cultivation of canals: canals, we all know quite well, are now being gradually superseded by railways; these miles of canals are not used by barges so much as they were. I have the Penny Encyclopædia here, in which I find that the canals were begun to be made in 1755. I have also a list here of the canals, which are 96 in number: here they are, the names of all the canals; I find there are no less than 2,200 miles of canals, which are mostly idle at the present moment; no boats, no barges. These are practically great fish farms, which might be cultivated. I desire to impress upon the Committee (and Mr. Walpole, I know, also does) the necessity of making these canals grow something; they are not doing anything now.

320. I understand you to say that they are absolutely doing nothing now?—As to fish.

321. I should wish you to inform the Committee whether you have any satisfactory evidence that you can give us as to the diminution of freshwater fish generally throughout England?—I had the honour of inspecting the Norfolk Fishery Broads, and I can put facts as actual evidence of what is going on there, or what was going on there, till within a fortnight ago. A town councillor of Yarmouth informed me, "that at the North Quay he frequently had seen large quantities of fish delivered from wherries, and sometimes as much as two tons of fish in the hold of one wherry; they consisted of roach, bream, perch, pike, &c., of all sizes and ages. The netting was carried on all the year round, without respect to time, place, season, or mesh." (See also my report on the Norfolk fisheries.)

322. That points to the abundance of fish, as I understand it, not to the diminution of them?—It points, as I think, to the water being gradually fishless; the men go at the time of the year when the fish are spawning, as they are now; they see the fish spawning on the weeds; they put the net round them, and take them all, young, old, little, big, and their eggs.

323. And are the fish so taken unwholesome as food?—You can sell them; but I should be very sorry to eat them myself.

324. The Committee would like to be informed as to the diminution of freshwater fish by this

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*Chairman—continued.*

fishing, the rivers being less productive than they were?—I can give you a case: there was a fishing match, at which I was present, at Knaresborough, and a number of people came to this fishing match; I think about 50 people were fishing, at 20 yards apart, and I do not think that the whole lot of them caught much more than a few pounds weight, and there was a prize for the smallest fish.

325. Perhaps it is hardly worth while to ask how does that compare with any previous period, when you are aware that the same gentlemen with the same abilities were fishing in the same way?—I do not know.

326. Might it not be the case that 20 years before that water might not have been worth fishing at all?—I must answer generally, that there are not sufficient fish for anglers to take; the nets have pretty nearly skimmed out the freshwater fish from most of our stagnant waters; there are great complaints of the want of fish for the rod in various parts of England and Wales.

327. And viewing the subject from the point of view of food also, has the price of these freshwater fish gone up as an article of food?—I do not think that people eat freshwater fish very much, except the Jews.

328. The Jews are very fond of tench, are they not?—I went to inspect the Jews' fish-market in Whitechapel the other day. They are very fond of freshwater fish; and on the so-called "Jews' holidays" they have to put on extra water bailiffs on the Thames to prevent these people getting barbel, roach, and bream, and all these things. They certainly fry them very well; the Jews are the great freshwater fish eaters in London.

329. Did you inquire about the price in the Jews' market when you were there?—I could not understand the language. I make it my business to go into all the markets, wherever I can see a market; and I have been to Birmingham, and Manchester, and Liverpool, and it is quite heart-rending to see great big baskets of little baby perch, and other kinds of non-migratory fish, that the old women are selling for a halfpenny, 2d., and 3d. a pound. If these things were only left to grow, what an immense supply of food there would be for the public. There is plenty of sale for fish, and people will not buy little fish if they can help it; they will buy good-sized fish, but they will not buy small fish of any kind.

330. Is there a sale for those fish, of which you are speaking, all the year round, or at any particular time?—There is a sale for anything at any time in London. The poor people I know are very anxious to have this Bill passed, especially the anglers. Now in London and the suburbs alone there are 80 angling societies. I know a great many of those angling societies; they are most respectable persons, generally tradesmen and people of that kind.

*Mr. Mundella.*

331. Those societies include a considerable number of clubs?—60,000 anglers I am told.

331\*. You may have a considerable number of clubs incorporated in one society?—Yes.

*Chairman.*

332. There is no doubt, I gather from you, however, of the general interest that is taken in this

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this Bill, and the great desire for the preservation of freshwater fish on the part of those angling societies?—Not the slightest doubt. At Nottingham, where Mr. Walpole and I were the otherday, there were 52 clubs or societies, and we learned that they enrolled among them 1,700 men, all working people. At Sheffield there are 200 clubs, with 8,000 members; at Birmingham there are nearly 10,000 people who are all fishers, and know how to catch fish with a rod and line. You may go elsewhere, up to Carlisle or anywhere almost in England, and you will find numerous clubs; Leeds, Manchester, Birmingham, Liverpool. They want fish to catch; they cannot catch them, because there are none to catch at the present time. Then there is another point which I think we must take into consideration, the enormous industries that are brought to work indirectly by the preservation of fish, or the creation (we may say now) of fish fit for taking with the rod. There are no less than 37 fishing tackle makers in London alone, who are dependent more or less upon the patronage of people who go out to catch roach and dace and gudgeon, in themselves worthless, but indirectly bringing in large sums of money which is circulated. Mr. Brougham, the Secretary of the Thames Angling Preservation Society, and I calculated from the number of boats made, and the tackle, and so forth, that was expended upon the Thames during the open months, that it came to between 2,000 *l.* and 3,000 *l.* a year, if not more, for the sake of people going out and catching these fish; they do not want them to eat so much as the pleasure of catching them.

Mr. Mundella.

333. The pleasure of a day in the country?—The pleasure of a day in the country, and these anglers generally go out on a Saturday; they fish on the Saturday afternoon, and I am afraid a good many of them on Sunday; then they show the fish at the clubs on the Monday night; and all these men have the greatest possible interest in this Bill, and they are, I know, watching every word said in this room, because they have come to my Museum of Economic Fish Culture, Kensington, and entreated me to do all I can to persuade Parliament to preserve fish for them.

Chairman.

334. Let us come now to the remedy which is proposed?—The remedy is first of all *festina lente*; you must not be too hard upon the people, and all I ask you gentlemen to do is to make a close time. I want that first; it is the simplest thing in the world; it is the foundation of everything. Spare the fathers and mothers who are the breeders. How can you have any children if you do not. That is my simple principle; that is the principle of all cultivation of birds, beasts, or fishes; it is the principle of the salmon laws; and under Mr. Dillwyn's Act of 1873 these fisheries are growing up gently, nicely, prettily, because we preserve the young and the old ones.

335. Then we come to the question, what kind of close time is practicable; what is the close time that you recommend; do you recommend a close time for angling as well as for the sale of fish?—I will answer that directly, in this way: Do not interfere with the anglers; let the anglers go on all the year round; because the more anglers you have the more, so to speak, water

Chairman—continued.

bailiffs you will have about. I do not know whether I am saying what is agreeable or not agreeable, but that is my opinion on it; let the poor man go out with his rod and line all the year round; do not interfere with him. How is Mr. Mundella's Bill to legislate about it? I say, no licenses, no anything; let the man go out with a rod and line, and let him catch the fish when he can, only with a rod and line, not with a net.

336. Then in the close time which you propose, you propose besides prohibiting the sale of fish; that you regard as essential?—Yes, certainly.

337. You would make it illegal to have a net?—Yes, I would have no net except under certain circumstances, and those circumstances would be in the case of people who have private ponds; I think they ought to be allowed to use a net when they like, and where they like. Supposing you had a big lake like the Serpentine, and it was desirable to shift the fish from there to St. James' Park, you ought to be allowed to do it; my idea is, do not be oppressive, or in any way interfere with the private rights of the proprietors through England. Let them have the right of netting their ponds when they like in the close season; but they absolutely must not sell.

338. With your view of the question, would it not seem that the simplest way would be simply to prohibit the sale; do you mean to say that there would be any extensive netting carried out if the sale were prohibited, I mean netting by persons for amusement; would not all the difficulty of private waters, and all that we have been talking about, be got over if a law was passed simply prohibiting the sale of freshwater fish within spawning time?—I would not allow the sale of freshwater fish at all, except for the Zoological Gardens, during the close time.

339. But I mean, supposing we have this section in the Bill which prohibits absolutely the sale of all freshwater fish during that time, is not that sufficient in itself without making any prohibition as to the use of nets during close time; because I want to know whether, in your opinion, there is much netting for the purpose of amusement, or, in fact, for other than commercial purposes?—Yes, certainly, a great deal; you give a picnic, for instance, in order to net a fish pond.

340. Why should you not do that?—You ought to be allowed to do that, I say.

341. Then comes my question, why should you prohibit it at all, because I understand you to wish to exempt private water for such purposes as netting, even if there was a clause in the Bill to prevent it generally; I want to know whether it would not be simpler to have no prohibition of netting at all, but simply of sale?—No, that will not do. I should prohibit nets everywhere, except in private gentlemen's properties, in parks, and places of that kind.

342. I come again to this, supposing the sale is prohibited, I want to know whether nets would be used at all in public waters or anywhere, for the purpose of amusement?—Take a case in the Thames; they have no nets in the close time except the casting nets; if nets were allowed in the Thames the whole thing would fall to the ground.

343. Supposing that in the Thames the law simply prohibited the sale of all fish coming into the

Chairman—continued.

the Thames, would there be any netting?—Yes, certainly.

344. For what purpose?—They would get rid of them somehow or other.

345. Your opinion is that you could not prohibit the use of netting in that way, but that there would always be a means of getting rid of the fish, and it would be difficult to carry out the Act?—I think my answer is that you must prohibit nets for three months in the close time; you cannot do anything else, except prohibit nets, the prohibition of sale without nets, in my opinion, is not sufficient, and I am sure of that; but allow rod and line everywhere.

346. But it would be an advantage, would it not, if you could get rid of the prohibition of nets, because you would avoid any difficulties about private waters?—What I intended to imply just now was, that I would let the owners of private lakes, like Blenheim Lake, or large lakes of that kind, do just whatever they liked with their fishery, but not allow them to sell; because it often happens that if you do not net a lake the fish will get so numerous in that lake that they will starve each other, and the size of the fish will diminish into almost insignificance; and this is the proper season to net private waters; take Blenheim Lake as a very good instance, the Duke of Marlborough's; he wants, we will suppose, to take some fish from the lake to send them to another portion of the domain, now is the very time to do it; April, May, and June is the time to cultivate for the future harvest of your lakes.

347. Quite so. I understand you to suggest that that should be permitted, but you suggest that it should be permitted by a special exemption of private waters; that is your view?—Yes, that is my view.

348. Then with regard to the period for this close time, do you agree with what Mr. Walpole has told us?—I have been breeding fish now for nearly 15 years, and we all know that the *salmonidæ* breed in the winter time, and we also know that the white fish breed in the summer time, for the obvious reason that the *salmonidæ* require cold temperature, and the white fish require, on the contrary, warmth; so that the moment the weeds begin to come out in the spring, these white fish begin to deposit their eggs upon the weeds, and it remains for us to consider the exact time when they do so, as there is certainly a difference in the time of fish spawning. I have dissected a great many of them for that purpose, and I find that generally speaking the jack get out of condition at the end of February, but the chub continue in condition during March. But I will hand in to you a table of the spawning times of fresh-water fish, kindly given me by Sir Phillip Egerton, M.P., who we all know is a great authority; he has sent me the following interesting communication: "I enclose you a table of the spawning times of British fresh-water fishes, compiled from 'Yarrell's Fishes.' M[ay, Ju]ne, means the latter half of May and the beginning of June: pike, March and April; ruffe, April; chub, April and May; rud, April and May; grayling, April and May; bleak, May; gudgeon, May; bream, May; barbel, May and June; roach, May and June; carp, May and June; tench, June; dace, June; minnow, June; burbot, February and March; flounder, February and March."

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349. Looking at that table, what is your opinion with reference to the desirability of making an uniform close time for all these fish without power of variation?—My opinion has been ascertained after consultation with most of those who know the most about this matter, namely, the members of the Piscatorial Society, who are the best authorities in all matters of this kind. I have met them on several occasions before we had the meeting with Mr. Mundella at the Society of Arts. I have met them several times afterwards, and we had a meeting last night, in which it was put to the vote that I should come before you to-day to say not only that it is my opinion but that it is their opinion that the original close time, as proposed by a show of hands at the Society of Arts, at Mr. Mundella's meeting, should be adopted, namely, from the 15th of March to the 15th of June.

350. Do you agree that that close time covers in the main the most of the fish that you are desirous to protect, and that it would be better to have that uniform close time, than to attempt to suit the wants of different fish?—I have in my hand an admirable book on angling, in Germany, by my friend, Max von dem Borne, a large fishery proprietor near Berlin, and he has made a tabulated table showing the different times of the fish spawning, and you will see that I have run pencil lines between the 15th of March and the 15th of June; that will include a very large number of the spawning fish.

351. Outside the time from March the 15th to June the 15th there appears in this table to be hardly anything, except one month the carp and the tench and the *salmonidæ* generally?—Yes, we do not care about the tench much. Then I should like to put on record the fact that I have before me a book showing how the freshwater fisheries preservation is carried on in France, "*Le Code de la Pêche Fluviale*," and I, perhaps, might be allowed to read it.

352. Is that a Government Society?—No, I believe it is the same as our own Act of Parliament; it is the law. Here is a book, the best book of the day, "*La Pêche et les Poissons, Dictionnaire général des Pêches*," by M. de la Blanchère, which is an encyclopædia of everything connected with fisheries. He gives you an outline of the law of fisheries, *Les lois de la pêche*, and also a carefully drawn up table of the times of the spawning of the fish.

353. But still the fact remains that with regard to the freshwater fish of England, which you are desirous to preserve, the close time that you have mentioned will practically comprehend them all?—Yes, and it is nearly the same as the French people have got.

354. Is there any other suggestion that you wish to make with reference to close time?—There seems to be a little doubt about grayling just now; grayling spawn in April, and in May, and they are in the best condition in October and November; they are a white fish. There is another point I should particularly like to call your attention to, namely, the question of the Zoological Gardens. Of course, as you know, I take much interest in the Zoological Gardens; and a great authority there declared that he would try to put down the Bill, if he possibly could, if some attention was not given to the Zoological Gardens, and I said, "Well, I shall go before the Committee, and I shall urge them very strongly

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strongly to let you go on in your old way ;” because really it is the fact that there are certain birds that will not eat dead fish, they must have live fish ; this is absolutely necessary ; a snake, for instance, would rather die than eat a dead rabbit ; he would sooner die of hunger.

355. How is the provision now made ; where do the Zoological Gardens buy their fish ?—From anybody who brings them. A man can go out and catch as many live fish as he likes about Hampstead, Highgate, canals by Uxbridge, and anywhere round, except in the Thames.

356. Would you propose in this Bill to exempt the sale of live fish ?—I am not lawyer enough to answer that, but I think the Zoological Gardens must be allowed to go on as they do now.

357. Supposing you were to meet the Zoological Gardens difficulty by exempting the sale of live fish, what, in your opinion, would be the effect of that ?—Put in the words “except for scientific purposes ;” I think that will do it. I myself go out every winter and catch spawning salmon in the close time for the eggs, and I send them to New Zealand ; but that is for a scientific purpose. And then there is another point that we must consider, as you have heard, that of live fish. Mr. Runard, a live-fish salesman, sends carp and other fish to London from Hamburg, and they come for food. Of course, I do not know much about legal phraseology ; but I think, if you put in the words, “scientific purposes,” it would satisfy Dr. Slater and Mr. Bartlett of the Zoological Gardens ; but I would much rather you asked Mr. Bartlett to come and give you evidence about it. Then you must also consider the Aquaria. There is the Royal Aquarium of Westminster, there is Southport, there is the Brighton Aquarium, there is the Rothesay Aquarium, and the Yarmouth Aquarium, the Manchester Aquarium, the Scarborough Aquarium, and one or two others.

Mr. William Lowther.

358. The Blackpool Aquarium ?—Yes ; I have not seen that. In fact, aquaria are rising up all over the kingdom ; and if the Committee do not make some arrangement to give the aquarium companies the necessary fish there will be tremendous opposition to the Bill.

Mr. Mundella.

359. You have heard Mr. Walpole’s recommendation to omit private waters ; you yourself agree in that recommendation ?—Yes.

360. Then there would be no difficulty in supplying from them freshwater fish for the aquaria ?—No, if you choose to give them ; you must not sell them.

361. If you sell them for the purposes of aquaria or scientific purposes that may be allowed ?—Yes, that will do. Then there is another question, the question of bait. People who go out like my friend behind me, Mr. Sachs, spinning for Thames trout, must have fresh bait for bait ; for spinning tackle or for live bait fishing I think they must have them.

Chairman.

362. Have you thought how that could be enacted ?—I think Colonel Duff’s Bill has a special exemption for bait. I think *bond fide* angling bait ought to be exempted. The Thames

Chairman—continued.

production of fish has increased most marvellously under the restrictions that the Thames Conservancy are working ; there is no doubt in the world about it.

363. In the case of the Thames, is the bait as you propose allowed ?—Yes ; you must allow things that are *bond fide* for bait. The fisheries of the Thames are placed under the Thames Conservancy Board at Tower Hill. This Board depute the looking after the fisheries to the Thames Angling Preservation Society, of which I have the honour to be one of the Vice Presidents ; and the Thames Angling Society goes up the river as far as Staines Bridge. Then there is a Windsor Society just started this year ; then above that comes a Reading Society, just started ; then another society, and then the Abingdon Society ; so that really now we have a great number of miles of the River Thames ; up to Oxford it is about 115 miles of legally protected water ; the law being carried out by these different angling societies.

Mr. Mundella.

364. Not legally protected ?—Not what we understand as legally, but by the Thames Conservancy Act. The Thames Conservancy authorities give the power.

365. They protect as well as they can, you mean ?—I do not know whether it is law or not, but at all events the fish are protected.

366. If anybody takes out large quantities of fish in buckets which have spawned on the shallows, you cannot punish them for having that fish in their possession ; you can only punish them for trespass ; is not that so ?—Nobody does that.

367. It was done the other day ?—There are water bailiffs always looking out for that ; but I would rather that you would get Mr. Brougham to tell you all about the Thames.

Chairman.

368. Is there any other point you would like to mention to us ?—There is some opposition to this Bill, and why it is I cannot find out ; but I suppose the Committee will hear in course of time what it is. I cannot conceive myself, anybody being so foolish as to oppose this “Bill for the Preservation of Freshwater Fish,” because, as I said before, the country is getting so populated, and there is so very little water which contains fish for sport, and the railways are growing up all over the country ; the communications are thus being opened up for anglers ; they will be more so if the fish are allowed to have their own way, so I really think this is a matter of national importance, considering the number of the middle classes, the powerful middle classes nowadays as they are ; they say, give us legislation, and preserve our fish ; and therefore, gentlemen, I think this important, not so much on the question of food as on the question of giving sport and health to the middle class and the public, and ourselves. Also, as regards food, no doubt the freshwater fish contain a monstrous deal of phosphorus, which is a nourishing element, especially of brain food ; it supplies food for the brain. Then there is one other point more which I might perhaps be allowed to mention, and it is that other people are looking on upon this country to see what we are going to do. Now the Chinese I know are waiting to see what we are going to do. I had a long

*Chairman—continued.*

a long talk with the Chinese Ambassador the other day, and he told me that they would be glad in China to make some law for the 450 million Chinese founded upon what we hope will be the result of this Committee; I am glad to see in the room the Commissioner of the American fisheries for Maryland, Mr. Fergusson, who is waiting to hear the conclusions of the Committee; I hope the result of this inquiry will be that our friends in America will make some law about their freshwater fisheries. The Italians also want to have some laws for their lakes. So my opinion is that this is not simply a matter of at all ordinary concern, or an angler's matter, but that it is a very large matter concerning the national prosperity. That is my view.

*Mr. Isaac.*

369. Did I rightly understand you to say that you would have no close time for anglers at all?—None at all.

370. And in private water you would allow proprietors to net whenever they pleased?—Yes.

371. But not to sell?—No.

372. You have read this Bill which has been referred to this Committee?—Yes.

373. And given it your consideration?—Yes, certainly.

374. Do you approve of that Bill with the exception of the alteration as to the close time, which you would prefer altered from the 1st to the 15th of March, lasting to the 15th of June?—Yes.

375. And that you would make some exception for the purpose of supplying aquaria and the Zoological Gardens with bait?—Yes.

*Mr. Stafford Howard.*

376. You heard the answers which Mr. Walpole gave to my questions?—Yes.

377. Do you agree with them?—Mr. Walpole and I always agree.

*Mr. Bristowe.*

378. Is there a legal close time for white fish in the French rivers?—Yes.

379. By the general French law?—It is a general law now, I believe; there is also a very nice article in the Bulletin of the Société d'Acclimatation by M. de la Blanchère, showing that water properly cultivated with fish is worth 44 francs a hectare. I think another result of this Bill will be, if it be passed, a general cultivation of all ponds and lakes in gentlemen's properties which are now doing absolutely nothing, these with a little scientific management might be able to produce a vast amount of fish; that is by drying them, sowing a crop of potatoes or rye-grass upon them, and shifting your fish for the time being; let the mud get a good baking in the sun, and become quite hard; and when the mud is hard, you cart it away in carts. The vegetable matter, especially rye-grass, will suck up the water from the mud; then you can cart the mud away, and you can sow a crop of fish, and your fish will grow tremendously. That will be one of the effects of this Bill, inducing gentlemen to cultivate their fish ponds much more than they do now.

*Mr. James Duff.*

380. The evidence that you have given is similar to what was given when you were making 0.110.

*Mr. James Duff—continued.*

enquiries as to the fisheries of Norfolk?—Yes.

381. You do not wish a close time for the rod-and-line?—No, it will not act; it will be fatal to the whole thing.

382. I suppose it is your opinion that if the Norfolk and Suffolk Fisheries Act was made general, with the addition of a clause to prevent sale of fish in close time and to prevent the destruction of fish by dynamite, that would meet the case?—I do not know; that is the law, again, and I do not profess to be a lawyer. If you make a close time for those months, with permission to rods for angling, and no sale, and prohibit dynamite, and have no licenses, you will have done all.

383. Then you answer "yes" to my question?—I do not know anything about law. Whether your Act ought to be applied to the whole country, I am not in a professional legal position to say. I only know what ought to be done for the fish.

384. You know what our Act is; I say is that Act applicable to all England?—If the circumstances are the same, yes.

385. You know that there is an objection to the Bill stopping the angling; do you know of other objections to it?—Yes, there are other objections; but what they have to say I cannot conceive.

386. Do not you know what they are?—No; they take care that I should not know. I believe it is pure jealousy.

*Mr. Rodwell.*

387. Jealousy of whom, the fish?—No, between them and the Piscatorial Society and myself.

*Mr. Mundella.*

388. Is it not jealousy of the Inspector?—Yes.

389. Whatever the inspector recommends, there are certain persons who will always oppose it?—Yes, it is always so. I have given them capital sport for 20 years.

*Mr. W. S. Stanhope.*

390. These fishing club men in Yorkshire fish a great deal in the canals, do they not?—All over the canals, fishing matches.

391. But at present they have a very poor supply of fish?—Hardly any; very bad indeed.

392. Is that due at all to netting with these canals?—I am not sufficiently acquainted with Yorkshire canals to answer that right off; but I must say, generally, that I believe it is from the want of preservation from time immemorial, rather than the actual netting.

393. Do you think that the fish could be increased in these canals, and still allow the angling to go on?—Angling does no harm anywhere, because in angling you have the instinct of the fish backed against the intelligence of the man, and very often the instinct of the fish has the best of it; but in the case of a net he must come out whether he likes it or not. I thought the question of the mesh of nets might come up; I am glad it has not; but here is every possible size of meshes of nets from half an inch up to three inches (*producing some specimens*). That (*pointing to it*) would be a large mesh for Norfolk before the Act of Parliament was passed; that is half an inch from knot to knot.

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394. I do

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Chairman.

394. I do not understand you to make any suggestions about putting any such things into this simple Bill?—No.

395. I understand you to say that there should be no netting at all during the close season?—No.

396. But you do not propose to go into anything with reference to the size of the net during the rest of the year?—It would be most undesirable to do so. In the Yorkshire district there are some very fine fishing waters in the Ure, the Swale, and the Wharfe, &c. In the fishing districts of Yorkshire, Leeds, Bradford and Halifax; in fact, the whole midland towns of England have positively little or no fishing ground to go to now.

Mr. Bristowe.

397. Is not that in consequence of foul water being poured into the streams?—The Aire and Calder are the only two rivers that are utterly done for.

398. What about the Wharfe?—The upper waters of the Wharfe are very good.

Mr. William Lowther.

399. I suppose that the consumption of white-bait is larger now than it was 20 years ago?—Yes, that is a very important matter.

400. Do you think that that has had any great effect upon the protection of fish?—Mr. Walpole and I had orders from Sir Matthew Ridley and Mr. Cross to inquire into that shortly. I can tell you more of that another time.

Mr. Mundella.

401. You have said, in answer to a question, that there is some opposition to the Bill?—Yes, I am told so.

402. Now we had that opposition, had we not, at the Society of Arts when those gentlemen were present?—Only partially; not all present.

403. Was not the opposition because we would not go beyond the close season; they wanted to regulate the mesh of the net, and a number of things which we were not disposed to deal with in the Bill; they wanted to load the Bill?—Yes.

404. They wanted to go beyond what I was willing to attempt by that measure?—Yes.

405. Now you said, in answer to some other question, that the fish of the Thames had increased most marvellously?—Wonderfully; I know that.

406. And are there not fence months for the Thames?—Most strictly.

407. Here are the rules of a piscatorial society, the West Central Association, and a number of other societies, and they have all fence months?—Yes.

408. A number of other societies, embracing a large number of clubs for each society, all have fence months; those fence months are for rod-and-line, are they not?—Yes, for rod-and-line.

409. Very strictly?—Very strictly indeed; they must not show fish; they must not look at the fish.

410. And these thousands of men connected with these societies debar themselves from fishing with rod-and-line during those months?—Certainly.

411. And under that regulation the quantity of fish in the Thames has increased, to use your

Mr. Mundella—continued.

own words, most marvellously?—Certainly it has, plus the close time for nets.

412. Why do you not want to extend that to other rivers?—That is what I would do if I could.

413. So I have always understood till I saw you in that chair; and you said in the chair that you always agreed with Mr. Walpole?—Mr. Walpole understands the administration of the law better than myself; I attend to the natural history points.

414. You say that the rules of the Thames angling societies, which give fence months against rod-and-line, have operated most beneficially, increased the fish most marvellously, and that if those rules could be extended to all the other waters of the country, it would be a great benefit to the country?—Yes.

415. Why then do you object to extending the rule as to rod-and-line to the other waters?—Because you cannot carry it out. There are so many water bailiffs on the Thames that the offenders would be caught in five minutes.

416. You admitted at the Society of Arts that every member of one of these clubs would be a water bailiff himself for a fence month for rod-and-line; are not the anglers in favour of a fence month for rod-and-line; did they not come from all quarters of England to say so?—Yes.

417. Did you not yourself propose to prohibit netting in the Cumberland lakes?—I proposed, with Mr. Walpole, to put the netting under a board of conservators.

418. You proposed to prohibit it?—Yes, I suppose I did.

419. Are not the lakes private waters?—Not all of them.

420. But most of them are?—Most of them are.

421. Have you withdrawn that recommendation?—No.

422. You do not now withdraw it?—I am getting puzzled, I confess.

423. I ask you further; did you not propose to prohibit angling in the lakes in the close season?—Yes, I think so. May I put it my own way? I would like, if I could do just what I would, to have no angling in the close season; but having consulted with a good many of the people who will be directly affected by it, I come to your honourable Committee and say, Do not make a law against angling, because the people directly affected by it will not like it, and it might endanger the Bill.

424. Can you tell me any people who have objected to that?—A number of those fishermen to whom I gave a *soirée* at my own museum at South Kensington the other day.

425. Were they not all enthusiastic for the Bill, and did they not give three cheers for the Member who brought it in?—Yes, but I do not think they would agree to a close time for angling.

426. Have you not uniformly at every meeting where you have met them, invariably urged a close time, fence months, for rod-and-line?—Yes, may I give another reason. Going north, to Wigan, the first week in May last, I looked out of the window, and counted between 40 and 50 anglers along the river side between here and Wigan; poor people fishing in canals, in small streams, and in ponds; and that completely sealed

*Chairman—continued.*

sealed my conviction to come here, and say, "Do not make a close time for angling."

427. Because you are afraid it might not be properly carried out?—That it might upset the Bill altogether.

428. These qualms have come over you recently?—Yes.

429. Is not London and the district round it the most populous part of England by a long-way?—There is, I think, within a 2 s. 6 d. ride of Southport a larger population still.

430. Is it not also true that angling is prohibited in the Thames in the close season?—Yes.

431. And if it were a hardship anywhere it would be a hardship in the neighbourhood of the Thames, surely; is it found to be a hardship in the Thames?—No, I think not.

432. Does anybody want to break through it there?—I think not.

433. Do not you think that all of the 50,000 anglers you have spoken of in London would immediately set up their backs, immediately raise a loud cry, and make great complaints, if it were proposed to throw open the Thames during the fence months?—The Thames is a small place compared with the rest of England affected by this Act.

434. What is true of the Thames is true for the rest of England, surely?—No, I think not.

435. You agree that the fish have increased enormously in the Thames under the system of a close season for rod and line?—Yes, and for nets.

436. Do you believe that if you permitted rod and line in the populous districts which you refer to, the fish would increase in the same proportion as in the Thames, or give as much sport?—Yes; the mischief done by rod and line by the angler is infinitesimal anywhere.

437. You think it is done by the nets?—Yes.

438. And by there being no close season for netting?—Yes, by there being no close season at all.

439. I have a statement here from Ely, in Cambridgeshire, in which they speak of the steady diminution in the size of the fish, how few they are, and how small they are; and they say that if we go on as we are going on there will soon be no fish; is that your experience?—I do not know Ely personally, but with that kind of water you can net it out no doubt; you cannot rod and line it out.

440. Then you entirely disagree with Mr. Walpole as to the necessity of prohibiting angling?—I have considered this matter over this last two months, and I once was of opinion you ought to prohibit angling, but I say now most assuredly you ought not.

441. Here I have the rules of all sorts of societies from all parts of England, and you must have a great many more than I have; is it not the fact that wherever you set up an angling society, and they get control over waters, they immediately set up fence months, and prohibit their members from angling during the season?—I do not know about that.

*Chairman—continued.*

442. I have the rules of the Bedford Angling Society and some others I could name; do they not invariably, as far as you know, when they have power, prohibit the angling during the fence months?—They have power now, if it comes to that.

443. When you have seen men taking fish during the close season with rod and line, have you not often heard fishermen speak of the shame of taking fish where thousands of roe drop from the fish, as he is taken, into the water; the valuable fish are taken out and the spawn runs away from them; have you not often heard that?—Yes, but I do not believe it, because fish will not bite when they are full of spawn.

444. How is it that all these angling societies make these fence months?—I am very sorry to say I cannot agree to prohibiting the rod and line, because I am certain that it would do mischief for a tentative measure like this; after a time it might be done.

445. How was it that you recommended the prohibition of the use of rod and line in the Lake district?—I should be very glad by this Bill to prohibit rod and line, but I think it would injure a general efficiency of close time all over England; that is what I think, and I am sure of it.

446. You think that, even in the populous districts of the country, such as we have been talking of, the Midland districts, and Yorkshire, and all the populous districts, even there you would not prohibit the use of rod and line?—Certainly not, because the rod and line fellows will go out and be very good water bailiffs to prevent the nets coming out.

447. You mean the first great evil is netting; the second is fishing with the rod; that is the smaller of the two?—I should not say that the rod was an evil.

448. Then why, in your reports and in your evidence in different parts of the country, have you recommended that the rod and line should be prohibited, in the Lake district, for instance?—Because there is a Board of Conservancy to see that it is done; and besides, we have not hindered the rod and line fishing by ladies and children to catch perch at this time of the year; we ought to let them catch perch.

*Mr. Rodwell.*

449. Is it not a fact that these piscatorial societies, and the members of these angling clubs, represent but a fraction of the people who fish throughout England?—They do not represent a fraction of the people who would be affected by this Bill.

*Mr. Mundella.*

450. But do they not represent those who are most interested in fishing?—Locally, yes.

451. Everywhere?—No, not canal people. I have come back to the opinion, and I am afraid I cannot alter it, that you must allow angling.

452. You have changed your view a good deal, in fact?—Yes; there is nothing like saying when you are wrong. If you can have angling prohibited get it, but if not, do without it.

*Mr.  
Buckland.*  
28 May  
1878.



*Friday, 31st May 1878.*

MEMBERS PRESENT :

Mr. Arthur Bass.  
Mr. Bristowe.  
Sir Robert Buxton.  
Mr. Dillwyn.  
Mr. James Duff.  
Mr. Stafford Howard.  
Mr. Isaac.

Mr. William Lowther.  
Sir Andrew Lusk.  
Lord Muncaster.  
Mr. Mundella.  
Sir Matthew Ridley.  
Mr. Rodwell.  
Mr. W. S. Stanhope.

SIR MATTHEW WHITE RIDLEY, BART., IN THE CHAIR.

The Rev. JOHN ROBERT CRAWFORD, called in; and Examined.

Rev. J. R.  
Crawford.

31 May  
1878.

*Chairman.*

453. I BELIEVE you live at Ely?—Yes.

454. And you have taken a great interest in the question of freshwater fish, and the diminution in the supply in the rivers in your neighbourhood?—Certainly.

455. Of recent years has there been a great diminution in the supply and in the size of freshwater fish?—Very great, indeed; in fact, so much so that old fishermen, I do not mean fishermen for sport, but those who have earned their living by it, declare that in a few years we shall bid good-bye to any fish worth taking at all, if we go on in the way we are going on now.

456. To what markets does the great portion of this fish that is taken go?—To the London and Birmingham market, from what I can understand.

457. We have heard that there is a ready sale for all fish that is taken at any period of the year in London?—Certainly, and all size of fish too; that is a remarkable thing which makes one think that they are not only for food; the report is, they are sold for making size for papers. They say they use the small fish to make size with.

458. Does that practice exist to any large extent, so far as you have heard?—I do not know; the fishermen keep it very dark, and I cannot get at the truth of it, whether they sell it simply for food or for size. I heard the other day a rather amusing statement that they were sold to the brewers, but I should think there is not much connection between brewing and bream, or any other fish. I have tried hard to get at it, and the fishermen will not tell me what they are sold for, but I think generally for food. They take them half an inch, many hundreds of them.

459. It is a profitable source of livelihood, in your neighbourhood, to many fishermen?—It is an independent way of getting a livelihood. He is simply his own master, and he gets perhaps more than he would do if he were an agricultural labourer, or a higher labourer of the artizan class.

460. Is it the case that the principal months, what we may call the spawning months for fresh-

*Chairman—continued.*

water fish, is as profitable a season to these fishermen as any other time of the year?—More profitable.

461. That is in consequence of the trades you have described, which you partly surmise use all the small fry?—Yes. The fish may be seen by anyone who takes any interest in them. The roach may be seen in shoals rubbing against the weeds, and at that time you can take them with a drag net and a trammel by thousands.

462. What are the principal kinds of fish that are sent from your district to the market?—Roach and perch, a few bream, dace, and, I am sorry to say, pike, even two inches long, by the score.

463. In your neighbourhood is there any complaint; have you heard anything said on the part of anglers and fishermen of the diminution of fish?—Yes, there are very great complaints indeed, both on the part of anglers and on the part of the poor people, who see that it is a waste of food. It is a great source of food to them.

464. Are there many fishing clubs?—No fishing clubs whatever in the immediate Ely district, but I believe there is a fishing club in Cambridge; I am not sure. I know there is in Bedford, which is on the Ouse too.

465. It is a common source of occupation and amusement, and even adds to the food of all classes of the population in your neighbourhood?—Certainly.

466. You have probably seen the Bill which the honourable Member for Sheffield has introduced to the House?—Yes.

467. You have probably considered its provisions, and can give us an opinion as to what you think of its practicability and desirability in your neighbourhood. First, as to the close season?—I think, most decidedly, that a close season is absolutely necessary, and for this very good reason. During the close time the fish that are gregarious, and spawn in large numbers, such as the roach and so on, are taken then in the most advantageous manner, and are taken without

*Chairman*—continued.

out any regard to their size, and of course you lose the spawn, and you are enabled to get the fish in large numbers; the result is, the river is being cleared out as fast as possible.

468-9. Would you agree with those witnesses who have told us that from the 15th March to the 15th June would be a useful close season to make for all kinds of freshwater fish, without attempting to define the time that should be specially applicable to various species?—I should say certainly so; I myself should be tempted however to make an exception in the case of jack, and to put the close season for jack even earlier. One has to remember that to such rivers as the Ouse, the jack is what the salmon is to ordinary rivers, and it affords the greatest amount of sport, as well as being a large source of food; the jack spawns before the other fish, generally speaking, and I should limit the close season to the jack, beginning the 15th February to 15th June, and the others from the 15th March to 15th June.

470. Do you think that any practical difficulty arises in carrying out the Act, which is, of course, a point we must look to?—I think not, because everyone knows, excepting in a very few cases, you will not get jack unless you fish with definite tackle and in a definite way. You cannot make an exception with perch or roach; if you are fishing for the one you may catch the other, but I think you may fairly make an exception with regard to jack.

471. I gather with regard to other kinds of fish, excepting jack, you would agree with the close time that has been suggested?—Certainly.

472. How would you propose to enact that close time; would you, in the first instance, make it applicable to angling as well as netting?—Certainly.

473. You think that all angling for all these kinds of fish should be prohibited during that close time?—There being a little soft place in one's heart for anglers who cannot enjoy the fishing always, I might make an exception to Bank holidays and that sort of thing, if they did happen to occur in the season; excepting that, I should not make any exception.

474. In your district, from your knowledge of the habits of the population, you think such a law would be operative, and would be, in fact, supported and assisted in its being carried out by the people who are accustomed to angling?—Most certainly.

475. I gather you would prohibit the use of the net altogether in that close season?—Decidedly, without the slightest hesitation.

476. I mean directly; it would not be, in your view, sufficient to prohibit the sale of freshwater fish during the close season?—No, I would directly prohibit the use of nets.

477. Would you propose any other regulations for the preservation of fish. Would you, for instance, attempt to deal with the size of the mesh of the nets to be used in other seasons than the close season?—I should feel very much tempted to do so, but I should be very sorry to advocate dealing with the question of mesh if the dealing with the question of mesh would rather tend to lose the Bill altogether. I have heard it mentioned that if we deal with it too strictly now, we may have a chance of losing the Bill altogether. Sooner than do that I should not attempt to deal with the mesh. My own private opinion is that unless you deal with the

0.110.

*Chairman*—continued.

mesh you do not go to the root of the evil at all, and for this reason, you have more spawn, and you have more fry, but you have no more food, and no more sport, for the simple reason that immediately after the close season the fishermen, of course, say, "We must get our living;" and they net twice the time that they do if they were allowed to net during the close time.

478. Does not that argument of yours go to this effect, that unless you deal with the mesh it is practically useless to have a close time?—Yes, I think unless you do so the chances are that the Bill will, to all intents and purposes, be useless. The fishermen may not be able to catch so many fish, but I think they will. It is a question of the energy and determination to work harder when they have the opportunity. Certainly it will give more spawn and more fry; therefore, the fry being increased, the chances are more fry may grow up, but I think the chances of their growing to any size are limited.

479. Generally, is this all public water that you are speaking of; has everybody a right to net?—There is a great deal of difficulty about the Ouse in the Ely district, but the majority of it is public water, and that which is not public water, many miles of it, is owned by Mr. Dench, and he lets it for 10*s.* a year, four or five miles of it, to a fisherman.

480. Practically, is it the case that anybody may fish with a net in the Ouse?—No, certainly not. There are some miles of river which are owned by private people, but they let the netting of those miles for a mere song to fishermen with whom they have a certain understanding, and who, I suppose, supply them with fish.

481. From what you say about catching the fry, I gather that the mesh of the nets is exceedingly small?—Yes; I should like to show the Committee the size of the mesh. This is the size (*producing a specimen*); a sprat could not get through that. A flue (which is a small net), when backed by a large-meshed net, is a trammel. The flue is forced through the large mesh, and the fish are caught as in a purse.

482. Is that an inch or three quarters of an inch?—This is half an inch, and this an inch (*producing specimens*). There are some nets which are four inches, and they are called walling or maling. This net is pushed by the fish through the maling, and then they are caught in this way. Of course nothing can escape that.

*Mr. James Duff.*

483. Is that a piece of the real net, or a model?—This is a model.

484. A net like that would never catch fish at all; it is too coarse?—Yes; this is only as to the size. I asked the fisherman to net me a piece, but he would not; I had to get it done.

*Chairman.*

485. You would like to see a law enacted that no net should be used in the rivers in your district, during any period of the year, that had not the mesh of certain size; but sooner than endanger the Bill, though you think it would be practically not very operative, you would leave out that enactment and simply deal with the close season?—Certainly.

486. Have you considered whether it would be practicable or desirable to make any rule as

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*Rev. J. R. Cramford.*

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1878.

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Crawford.

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*Chairman—continued.*

to the size of fish which you would allow to be taken?—I have thought of the question, and I have also found that it is apparently practicable in France. A similar Bill that was finally altered in 1868 in France, does mention the size of fish. I should feel inclined to think that, for all practicable purposes, angling clubs could make their own laws, and in waters where there are no angling clubs, we could leave the matter alone entirely.

487. I suppose the principal destruction of fish is caused by the netting?—Certainly.

488. The angling clubs, I presume, would not be able to deal with the persons who use nets; during the rest of the year other than the close season, would not there still be a great destruction of undersized fish?—Most decidedly.

489. Which I do not understand you to propose to check in any way whatever?—I should check it by the size of the mesh.

490. That check would, in your view, be sufficient?—Certainly; I think if you allow a small mesh, and then tell the men, Here, you have used a mesh of half an inch, and you have caught a couple of hundred fish under a certain size, you must throw this couple of hundred away, the chances are you will not get it carried out; the only way to limit the size of the fish is to limit the mesh. We know in angling clubs a man catches a fish of a certain size, and he sees the size, and according to the laws of the club he throws it in; that is only a single fish. You cannot expect a fisherman to carry out that law.

491. Have you considered the size of the mesh you would enact?—Yes; I should feel inclined to think that 2 inches certainly is about the size; certainly not larger than 2 inches; 2½ inches was advocated by a petition that I got up, and 3 inches was advocated by an angling club, but it is absolutely absurd. Three inches would let a jack through of some considerable size. This is 2 inches; another inch would let a whale through almost.

492. With regard to private waters, we have heard a good deal about private waters, and about the difficulty of interfering with the right of an exclusive owner over his own pond or bit of water, whether in connection with the main rivers of the district or not. What do you say about that?—I should be inclined to put in a clause similar to that in the French Act, which is this, that all private waters which are not naturally connected with rivers should be exempted from the Bill; but if they are naturally connected with other rivers, they should not be exempted, but should be dealt with as public waters.

493. Would not there be some difficulty in defining what a natural connection with a river is?—I do not know whether it is a difficulty or not, but I suppose they found it out in France, and they naturally could find it out here.

494. Are you aware how it acted in France?—No, I can understand it would be a difficulty, but I suppose they have overcome it there.

495. Supposing that difficulty could be got over, you think it reasonable and proper that there should be no law applicable to the owners of such waters which did not affect the whole district?—Yes, I speak feelingly on that question; in my own district there are hundreds of miles of drains and dykes in the fen district, which, practically, belong to the Bedford Level,

*Chairman—continued.*

and other large companies, but they practically feed and are fed by the River Ouse, and unless you prohibit netting, which I know is carried on to a great extent in the dykes, you lose a great deal of the power of the Bill; take a number of the bream, for instance; there is the famous Roswell holes at Ely, where the bream come by the thousand to spawn; that belongs to the Bedford Level; their fisherman who is employed by them and sells their fish, takes these bream by the thousand when they are spawning, and then of course the poor unfortunate individuals that are left go back again to the Ouse. The Ouse is naturally a loser, because they claim the Roswell holes as a private water, although it is naturally connected with the River Ouse, and ebbs and flows with the Ouse itself.

496. You would exempt altogether from the operation of the Bill private waters, with the exception that you would not allow the sale of fresh-water fish, whether they came from private waters or not, because of course it would be impossible to tell?—I should not exempt private waters, only those private waters which are not joined naturally.

497. Private waters, as you have defined them?—Yes.

498. You would further make this close time such as you have described, being an additional period for jack and another period for freshwater fish; you would make that a close time against both anglers and nets?—Yes.

499. To that I understand you would make certain exemptions, such as in the case of Bank Holidays?—Yes, for this reason; I took a drive 40 or 50 miles on Bank Holiday lately, Easter Monday, I think, and I happened in going through the fen district, to see large numbers of anglers evidently enjoying their Bank Holiday angling, and I think the damage done is so very small, that we might well concede that to men who live in large towns who are tired out, and enjoy a day's angling, but cannot get it as a rule.

500-1. Besides that exemption would you give any other exemption?—I think it is not practicable.

502. In your opinion, would such a measure as you propose, be supported by the different classes of the population?—Most unhesitatingly I should say so.

*Mr. Mundella.*

503. You have been at great pains to ascertain the opinions of those best acquainted with angling and fisheries in your neighbourhood?—Yes.

504. And you have collected from various gentlemen their views upon the matter of this Bill?—Yes.

505. I see from the Paper you have been good enough to send to me you state that, in your opinion, there is a wholesale destruction of fish going on in your district?—Certainly, in my opinion, and in the opinion of all the neighbourhood.

506. Mr. Titterton of Ely says, "Our fishermen boats, during the three months, March, April, and May, are bespattered with spawn from stem to stern"?—I am very glad to have the opportunity of making a remark upon that. I see in the "Daily News" a report of the examination of Mr. Walpole, and he said you must allow

Mr. Mundella—continued.

allow a little for exaggeration. I then went to an old man over 70, who has been a fisherman all his life, and I said, "Now Go-to-bed, do you honestly think it is exaggeration to say that the boats are bespattered from stem to stern with spawn"; he said, "There is no exaggeration about it"; and I went to two other anglers, educated men (the old man was not), and they said there is no exaggeration whatever. You have only to be on the spot to understand it.

507. Then another statement is, "I have many times seen these nets when drawn from the water resemble silver lace, from the immense quantity of small fry contained in them. These small fry are left to perish on the banks"—Certainly; I have seen that myself, and I have no doubt that many honourable Members may have seen the same on the seaside, when the herring boats are drawing, and it is exactly the same with the freshwater fish. Being too small to be picked up singly, they are left to perish.

508. Then you give another statement. This is signed by Mr. George Barnes, the station-master of Ely, showing that one fisherman sent 23 cwt. 2 quarters 14 lbs. of fish from the 2nd March to the 30th April; you have no doubt about that?—No.

509. Then there is another statement which says, "Living close to the river, and just opposite the house of Cross, the fisherman, I can count his boxes. Late last night he sent off 15 boxes, not included in the above statement. Striking a low average, I compute the weight of fish sent from Ely between 1st March and 3rd May to be 26 cwt., over a ton and a quarter of fish?—Yes, that is an honestly low average.

510. There is another statement of Mr. Beckett, the surgeon, of Ely, in which he speaks of the thousands of jack now not three inches in length?—Yes, I spoke to a large owner of property there, a brewer, and he told me that he saw a donkey cart full of fish, and he examined and found that certainly a quarter of the fish were jack, and not more than three or four inches long.

511. There is another statement of Mr. Beckett: "If these fish were preserved they might become a great source of food to the riparian population, many of whom I find much enraged against the wholesale destruction of fish;" that indicates that there is a strong feeling in the neighbourhood against the practice?—Yes. Only the other day I was fishing myself near three labourers on the banks. I mentioned it to them, and they said: "Well, Sir, if you can do anything to stop it we will give our shilling each."

512. Then I see another letter from Mr. Toombs, in which he says there is a protest of all classes against the destruction of fish, and they are all most anxious to see a close season?—Yes.

513. Then I see a letter from Mr. Leach, in which he says he strongly advocates a close time with the rod and the line?—Yes, and that especially with regard to jack. He is the master at Littleport.

514. Then the fisherman, Paget, of Littleport, makes a statement that fish is on the decrease, and that fish and fishing will soon become a thing of the past unless some steps are taken to preserve the fish?—Yes, unless there is a close season we shall bid god-bye in the River Ouse to fishing altogether.

0.110.

Mr. Mundella—continued.

515. There is a great deal more very valuable evidence?—It all harps on the same string.

516. You have so fully confirmed it by your statement that I need not trouble to go through the whole of that. You said, with respect to the close season, that you prefer a longer close season for jack?—For jack.

517. Supposing we were limited to three months' close time, which would be the simplest thing, would you have it from the 1st March to the 31st May, or would you have it from the 15th March to the 15th June?—I should feel inclined, if only one, for the 1st March, simply because of the jack.

518. Then you said the jack is to the Ouse what salmon is to salmon rivers?—What I mean is, that it is the only fish that grows to any large size, and gives any sport.

519. Of course that applies to all rivers where there are no salmon?—Yes.

520. Pike do not exist in the rivers?—In the Wharfe there are very few jack; there is any amount of grayling. I have fished there.

521. What is the condition of the Wharfe?—I do not know the condition of it. I know this, that I have fished through the kindness of a friend in private waters, and have always had very fair sport with grayling. They have trout there, too.

522. Do you think fish can be taken in any quantity; that is to say, so as to be injurious to the prospects or multiplication of fish, with rod and line, during the spawning season?—That is a very difficult question to answer.

523. You know something of Yorkshire, where the population is abundant, and fish not very abundant: would the permission to fish with rod and line during the close season tend materially to diminish the supply of fish?—That I really can hardly say. Of course it would diminish them, but I should think that, considering that most of the waters in Yorkshire belong to angling societies, and are therefore protected in that way, those pieces of water that are not protected in that way would not be very materially affected. Certainly, in the Ouse, where they are simply coarse fish, the effect would not be so very great, if angling were allowed. I know now that I am eating my own words to a certain extent. I ought not to speak of the Wharfe. All I know of the Wharfe is, that a great deal of it is divided into sections belonging to angling clubs, and those clubs protect it themselves; but in the Ouse, the fishing with rod and line, although it would affect the amount of fish, would not affect it very materially.

524. Those remarks would not apply with equal force to a district where there is a large population, would it?—No, certainly not.

525. Take the Thames, for instance, or the neighbourhood of the Trent?—They would not. Of course at Ely we have a very small population, and those who angle are very limited, with a large amount of water.

526. You were asked by the Chairman as to carrying out the law; do not you think if such a law were enacted, every man interested in fishing would be himself, so to speak, a water bailiff?—Yes.

527. You would yourself feel it your duty to act in that way?—I should take good care that they did not net again, if there was any Act to stop them, and I could do so.

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528. Your

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528. Your own case is an illustration of what you think would be general?—Yes.

529. Do you think after all, that the dealing with the mesh is a very important part of the means of protecting freshwater fish?—I think it very important indeed; I was merely warned not to say too much, for fear we should lose it altogether, but at the same time I honestly think it is a very important question.

530. Supposing Parliament did not deal with the question of a mesh, do you think that the nets would catch the very young fry?—No, certainly not.

531. It would be the second and third year that the mischief would be done?—Yes; I think if they do not deal with nets and do not deal with a close time, we should bid good-bye to the fish altogether, but if they did deal with the close time, and did not deal with the nets, we should very much improve the chances of fish.

532. To make the Bill effectual, and to work well for all purposes, in order to increase the supply of food and the pleasure of the people, you would deal with the question of the mesh as well as the question of netting in close time, and with rod and line also?—Most certainly.

533. You have shown some familiarity with the French law; can you give us any particulars of it; can you tell us what is the date of that law?—I have not got a copy now, but I think it was introduced in the early part of this century, and then was revised, I think, again in 1866 and 1868. There is one important clause with regard to the meshes (although perhaps it is dangerous ground to tread upon) in the French law which is this, that all people owning meshes of prohibited size out of their own grounds should be in danger of having those nets confiscated. If you do deal with meshes I should like to bring that question forward for the consideration of the Committee, because I know there are a number of people in our district who have large nets with small meshes costing a great deal, and they would not hesitate to use those meshes if they could do so on the sly, and the only way to stop them is to take the nets away.

534. You would forfeit the instrument?—Yes.

535. Is the fish which is taken during the spawning season fit for food?—I should be very sorry to eat it, but they say that they are eaten by the Jews, and the Jews are supposed to be rather particular as to the cleanliness of their meat.

536. They are not used by the riparian population?—No; very markedly they are not used; because, sometimes, they do take round a barrow with fish, but the people will not touch them then, except in the case of eels; but of course they are different altogether.

537. You are of opinion that if Parliament were to enact such laws as you suggest, there would be a very large increase of food, putting aside the question of sport, for the benefit of the riparian population?—Yes; decidedly.

538. And that, as a mere matter of supply of food, it is important that some such steps as you indicate should be taken?—Yes. I need hardly say that I am speaking almost as an independent witness, for I am here to-day and gone to-morrow. I may leave Ely, I may get a benefice somewhere out of Ely, and never see a river again from one year's end to another. Therefore, I chiefly speak

Mr. Mundella—continued.

for the sake of food, and for the sake of sport, but especially food, and I feel strongly on the point. It is not as if I had property close to a river where I might say, "I may enjoy fishing all the days of my life." I may not be able to enjoy it a year hence.

539. You are evidently a fisherman?—Yes, I have been used to it.

540. For many years?—Since I was a very small boy, some eight years old, which is considerably over 20 years ago.

Mr. W. Lowther.

541. Did I understand you would be in favour of confiscating any net of a particular sized mesh found anywhere?—If the Bill protected a certain sized mesh I should be inclined, for the better carrying out of the Bill, to put in a clause such as they have in the French Act, to the effect that if a net of an illegal mesh is found off the property of the man to whom it belongs, evidently being used for the purpose of fishing, it should be confiscated. I merely quote from memory the clause in the French Bill, which is worded carefully, of course.

542. How long have you been at Ely?—Nearly five years.

543. Is this a new species of trade?—Very old indeed.

544. Has the trade increased or diminished since you have been there?—Since I have been there, there have been the same amount of fishermen that there had been before, but the fishermen have bitterly complained that their profits are decreasing every year, showing that they themselves are cutting their own throats. It is a decrease in their trade, through a decrease of the fish caught.

545. Do they sell less fish?—They sell less fish because they catch less fish, I apprehend.

546. You apprehend; you do not know that that is so?—I know this, that they make less money than they did.

547. Is it from the smaller number of fish caught, or do they get a smaller price for it?—That I cannot say.

548. Do other people send more fish to the market?—That I cannot say.

549. I think I understood you to say Mr. Dench let water for 10 s. a year.

550. That is 10 s. for the whole year?—Yes.

551. Do you suppose he might get a larger price if he asked it?—I have no doubt of that if he asked the angling society in Ely; in fact, he was told lately we should be very glad to give him 5 l. a year.

552. But he still lets it for 10 s. a year?—Simply because there is no angling society to offer him more.

553. Whom does he let it to—to these fishermen?—I am only speaking of a small portion in Ely, which he lets to a fisherman named Cross. I believe he has some at Littleport, and some at Sutton, which he lets to others.

554. Do you know Mr. Dench personally?—Yes.

555. Do you suppose that if he knew the number of fish were diminishing, he would not stop that, in his own interest?—No, I do not think he cares at all about it; he thinks that as long as he lives the fish will live; he is not a young man, and that is all he cares about it.

556. You

*Mr. W. Lowther*—continued.

556. You are sorry to see a large number of pike caught?—Yes, very.

557. Do not you think that if all these pike were left, they would become masters of the water and eat up everything else?—It might possibly be if they were allowed to increase to a great extent, they would diminish the roach fishing, but I would sooner have more pike fishing and less roach fishing. We have spoken of the Wharfe, where there are trout; I say "Out with the pike where you get trout and grayling"; but there never are pike where there are not roach, and the two things naturally go together. The one is food for the other. I would sooner have more pike and less roach, than a vast amount of roach and few pike.

558. You think the other fish ought to be sacrificed for the sake of the pike?—I should think so, certainly, as a sportsman, and certainly as a matter of fact; the pike would offer almost, though not quite, so much food.

559. Is the fish that is caught at Ely all exported, or do they sell it in the neighbourhood at all?—They sell the larger fish in the city and neighbourhood, and they sell eels, I believe, to poor people, even getting 8d. a pound for eels; I know they get 6d.; but I was told, on very good authority, that they got 8d.; I thought that such a large price that, as the man might have been mistaken, I did not mention it. The poor people give 6d. for eels, which are sold in large quantities in barrows full at a time. It therefore shows that it is a source of food. The eels, of course, are different.

*Sir Robert Buxton.*

560. You have spoken of Mr. Dench's fishing; can you give us an idea of the extent of it?—I am now only speaking more or less from hearsay; I believe he has about five or six miles of water.

561. Does that represent the average letting value of the fisheries in that part?—He does not let the whole of that water for 10s.; it is only a run of some two miles which he lets for 10s., which is in Ely itself.

562. Is that a fair value for the fisheries about Ely 5s. for a mile of water?—I do not know anything else that is let. That is the value he lets it at; I ought to say that the reason why he lets it for that is, that I think his claim is a very indefinite one, and he does not want to have any inquiries about it, and so he lets it, the fisherman himself being inclined, I fancy, to resist the claim if he did not get it for a cheap rate.

563. Is there a large quantity of perch in the waters about Ely?—I am sorry to say the perch are dying out fast.

564. Can you account for that in any way?—No, I cannot, unless it is through the netting. I have not been long enough in the district to know, but they are dying out fast. I have seen perch caught so very small that I think the netting does account for the diminution.

*Mr. James Duff.*

565. You say most unhesitatingly that the labouring classes would like to have a close time; do you refer to angling as well as to netting?—No. I do not think that the labourers have considered that question at all. I may honestly say that when they say close time, they mean against netting. I do not say that they would not wish

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a close time for the other; but I believe in their own minds they refer to the netting.

566. With reference to the three labourers whom you mentioned asking you to get something done for them, you think they referred to getting a close time for netting?—I should say that that was what was in their minds.

567. You mentioned the boats bespattered with spawn; that is all netted fish, I suppose?—Yes.

568. I suppose your district is very much the same as ours; a close time would be a very good thing in the Thames, or in Yorkshire, but it is hardly necessary in a place like ours?—Yes, I can quite understand people in Yorkshire as strongly advocating a close time in the trout river; but I think in our more prolific rivers like the Ouse the effect would not be so great.

*Mr. W. S. Stanhope.*

569. In your opinion, it is the netting which you chiefly wish to have restricted, both as to the close time and the size of the mesh?—Yes.

570. Between the 15th March and the 15th June would always include Easter and Whitsuntide?—Yes.

571. Do you think if that close time for rods were made general in the country, it might cause some opposition from persons who have few holidays in the year, not being able to fish during that time?—It would cause great disappointment anyhow, I should say.

572. There is a difficulty in your mind with respect to what are private waters?—Yes, there is a great difficulty in our neighbourhood.

573. If some such definition as "ponds" and "ornamental water" could be arrived at, do you think it would be desirable to limit them in any way?—Certainly not.

574. Generally speaking, you think it very desirable not to overload this Bill so as to endanger its popularity, and its chance of passing?—I have been told that if it is overloaded it has a less chance of passing, but I myself should be inclined to say that unless there is something more than the Bill in its simple state carried out, you might almost for all practical purposes stop as you are, except as a feeler.

*Mr. Mundella.*

575. Except with a view to the importance of getting a close time recognised as a first step to further legislation?—Certainly, as a first step it is most important, but if you stop there you might just as well let the matter alone.

*Mr. W. S. Stanhope.*

576. In your opinion, would a close time for the sale of fish have much effect?—No.

*Mr. Arthur Bass.*

577. I suppose these fishermen work pretty continuously during the whole of the year?—I should think night and day for four or five days; certainly I should say they work a great deal longer hours than an agricultural labourer, or an artisan does.

578. If there were a close time they could hardly work harder than they do now?—I think it is possible that they could, because they could work at night as well.

579. They have no other occupation?—No; they now work long days, but if the close time is

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Mr. Arthur Bass—continued.

carried out, they would work long nights sometimes as well, in order to make up for lost time.

580. For three months of the year the effect of the close time would be to deprive them of any occupation?—Certainly. One man who is a great fisherman in our neighbourhood, happens to be the owner of his own plot of ground, and he is a gardener too; but that is only an accident.

Mr. Bristowe.

581. Upon the whole, do I understand that if you had your own wish you would prefer the close time to apply to rod fishing as well as netting, taking it all over England?—Yes; all over England, certainly.

582. That is if Parliament adopted what you desire to see?—Yes.

583. You think, on the whole, it would be more favourable to the preservation of the fish?—On the whole, I do not think it would very much affect the Ouse and those rivers; I can quite understand in valuable fisheries, where there are trout and grayling, that it would affect them.

584. If that be your opinion, can you give me any reason why you think that?—Because the more fish that are taken during the spawning season, the less fish there are to spawn, I apprehend.

585. Might there not be another reason, that you might find some persons in possession of fish that practically might be caught by a net; does it facilitate surreptitious fishing with a net, if angling is allowed, do you think?—I should think it might in some cases; but the netting in our districts is so wholesale that a man could not possibly pretend that he had caught with a rod and line what he has taken; I have seen two boats full; it would not affect them at all.

586. You have mentioned the law in France respecting the size of the fish forbidden to be taken out of the season?—Yes, certain sizes are mentioned.

587. Have you any knowledge as to whether that law is enforced with any strictness, or do you merely know that it is a law, and do you not know how it is obeyed?—I know that it is a law that has been reported to me as working in a fairly satisfactory manner in the present time.

588. Do you know anything about the machinery for enforcing it?—No, I do not; I know that the fines are a great deal heavier than the fines proposed in the Bill.

589. But how they are enforced and how the law is insisted on, you do not know?—No.

590. You mentioned the private waters in connection with rivers; do you know what you exactly mean by that, under the French law?—No. The only term is, "not naturally connected." I apprehend it is where the rivers feed them, and where they more or less ebb or flow with the rivers.

591. You are perhaps aware that the French law, with reference to any person drawing water from a public stream, either for a little pond, or for anything else, is very strict?—That I do not know.

592. I gather that you consider that, in the interest of pike fishing, the 1st March is rather too late?—Yes.

593. You would prefer it something like a month earlier?—For pike; and it is quite prac-

Mr. Bristowe—continued.

ticable too, I think; because the tackle and the whole thing is so perfectly different. But it is not practical, of course, to make a distinction with regard to bream, perch, and roach.

594. You would prefer the 1st March to the 1st June, as to close time for other fish, being what are called coarse or white fish?—Yes; unless there is a different clause for pike, and then I should say it should be the 15th March to the 15th June; but if there is no clause for pike, then I should say the 1st March, because then it brings the pike in more.

595. I understand that if there is no special legislation for the pike you would prefer the close time to be from the 1st to the 1st, rather than from the 15th to the 15th?—Yes.

596. You have mentioned grayling; have you any suggestion to give to the Committee with reference to the close time for grayling?—None whatever. I have fished for grayling; but only on odd days.

Mr. Stafford Howard.

597. Do you suppose these fishermen themselves are in favour of a close time?—Certainly not.

598. You say they complain very much of the deterioration of the fishes?—Yes. The fact is that, like a great many of that class, you cannot possibly put the advantage into their heads. They think it is a very hard thing to be stopped altogether. They know they get the greatest number of fish in the spawning season, and you cannot convince them that it is to their advantage to have any restriction.

599. Then their opposition only arises from ignorance?—I should say so, certainly. If they had any sense they would themselves, without there being any law compelling them, do it for their own good.

Mr. Rodwell.

600. I understand you draw a distinction. There is legislation which you think desirable, and there is another legislation which you think practicable, with regard to these fish. The legislation does not go so far as you could wish, because you could hardly carry it out?—It is not exactly that. I think certain legislation desirable, because I think other legislation endangers the Bill altogether.

601. Supposing you could carry out the whole of your views, you would prefer having them carried out, I presume?—Yes.

602. Probably you would interdict the use of any net less than two inches in mesh?—Yes; I should be sorry to mention the size definitely, as two inches, but it seems to me rather large.

603. It seemed to me very large?—I think so, too. Two and a half inches was mentioned by some petition that I sent up, and I see that angling clubs mention three; but I think that is outrageous, and that it should be less than two. I am sure jack can get out of it. Unfortunately the rains have been so great in our part that I could not try the result of a mesh, or else I would; but I should say two inches is the outside size, and an inch and a half would be better; but no less than an inch and a half.

604. These angling clubs, in many cases, are the sole tenants and occupants of the waters in which they fish, are they not?—I believe so.

605. They have the power to interdict or prevent

Mr. Rodwell—continued.

vent netting at any time they please, have they not?—I believe so. I know very little about the angling clubs.

606. If they exercised proper influence, and had keepers or conservators, there would be no necessity for legislation for them?—Not for angling clubs; but I apprehend there are great lengths of river that have no angling clubs, and such districts would be wanting in public spirit, which I am afraid rather characterises many parts of the world.

607. I suppose the reason which led you to give the evidence you have given with regard to the distinction between netting and angling, is that the fish caught by the rod and line are infinitesimally small as compared with those caught by the nets?—Yes. I should like to modify the way in which you put it. I think it must be an important question in some rivers whether there should be a close time for angling with rod and line, and I should strongly advocate it if I were a representative of the Wharfe, or of grayling and trout rivers, and rivers of that nature; but as I simply am most interested now in representing the Ouse, which is *par excellence* the river for coarse fish, I think the angling would affect it very little. The fishermen tell me you may angle all day long; it would not affect us; but it would affect some rivers. I think we ought to have a close time for angling for jack, for they are caught by the score just when they ought not to be caught.

608. Does it occur to you that if you gave such ample protection to the jack, they would very much diminish the other fish?—No, I think we should be able to catch them. I was speaking only the other day with a couple of fishermen who have been fishermen for something like 40 years, and they say that in their boyish days they used to go home with four or five jack averaging 10 or 15 lbs., whereas now I fish for jack all day long in summer and winter and I never get more than one miserable fish of three, four, or five pounds.

609. To what do you attribute that?—To the way in which they are taken. My argument is this, that although by a close time you would increase the number of jack, yet anglers would then be able to take bigger jack, so that you would still by angling keep down the jack at any rate, so that they would not destroy all the other fish.

610. Is not March an early time to fix for a close time for pike; they are good in March, are they not?—I should say February; I should fix the close time from the 15th of February to the 15th of April for pike.

611. Pike is not very good in May, is it?—No, it is not very good; but they have done spawning, and you may try to catch them, but you will not catch them; they will not be caught.

612. Is it not the case with those fish that bespatter the boats with their spawn, that when they are in that condition they do not take the bait so freely?—They do not take it so freely, certainly.

613. The sum and substance of it is this, that you would allow angling, except at particular places, at all times of the year, but you would have a close time for netting, and would make the meshes of the net as large as possible?—Yes.

614. Do you think that would satisfy our friends in the fen districts?—I think so.

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Mr. Mundella.

615. You said you would have a close time for jack against angling, did you not?—Yes.

616. Because you say jack will take bait when it is spawning?—Yes, I should have a close time against nets for all fish, except in certain rivers, where it would, perhaps, be advisable to have it for the rod and line also, though in others it would not; but I would certainly have a close time for all fish; I would limit the size of the net, and in the case of the jack, I should have a different clause for them, bringing the close time to February, and during that close time limit the use of the rod and line as well as net for jack.

Chairman.

617. To put it in a general way, you would in every river in England have a close time against angling for the principal fish existing in the river. In your district the principal fish for sport and also for food is the pike, or as you call it the jack, and therefore you would have a close time for jack?—Yes.

618. In the same way as you would have a close time against angling for trout, and char and grayling, in rivers where they were the principal fish?—Yes, it is rather difficult to carry that out.

Sir Andrew Lusk.

619. I assume from your cloth that you take a great deal of interest in the well being of people generally throughout the country?—It is to be hoped so.

620. From a social point of view, do you think that fishing is a very healthy and desirable occupation or amusement for people generally?—Yes.

621. Looking at it in that light, do you think it is desirable to continue that occupation or amusement as much as possible?—Yes, certainly.

622. Fishing in fresh water is, as a rule, called sport, is it not?—Yes, I suppose so.

623. Do you think it is desirable to continue sport in the shape of fishing in fresh water, just as it is desirable to continue the pursuit of game or fox hunting, or such sports as those?—I think the objection to fox hunting and to the preserving of game, although I may not and do not hold it myself, is so very different to the objection that may be raised to fishing, that it is difficult to bring the two together.

624. Is it as desirable to continue the one as the other?—Yes, I should say, taking a broad line, it is more desirable.

625. Do you think it as desirable?—Yes.

626. You think it as desirable to continue sport in fishing as in hunting and shooting?—Certainly.

627. As a general rule, is it the poor or the rich who go to fish in fresh waters?—I should say it is from the farm labourer up to any scale you like; I should say large numbers are fond of fishing.

628. An enormous number of the poor are engaged in this pleasant and what is called gentle art?—I do not know that an enormous number are, but there are very many.

629. Do you believe there are more people engaged in this sport than in hunting and shooting?—I should say so, certainly.

630. You think it is a most desirable thing for the social good of the people to preserve this sport as much as you can for their benefit?—I should

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should say the desire of preserving the fish is more with reference to the food of the people than to sport.

631. That applies to your district a little more perhaps than to some others, except with reference to salmon?—In other districts, by which I apprehend you mean grayling and trout districts, the people do not fish at all, simply because they cannot afford rods and lines.

632. The point I want to get at is this: I appeal to you as a gentleman who takes an interest in the well-being of the people, whether you do not think we are to consider the sport of the people generally as well as the sport of those who take to hunting and shooting, because the people cannot have them?—Yes, I think so.

633. Do you think it would tend to continue and extend this sport to the great mass of those who go in for that amusement, to have a close season?—Most certainly.

634. You are thoroughly convinced of that?—Yes, most certainly.

635. You have had a great deal of experience, have you not?—Yes. It would increase it in this way, there would be more fish for them to catch.

636. You think, as an educated man, that it is a most unreasonable and cruel thing to kill fish when they are spawning?—Most unreasonable, certainly, to kill them in a wholesale way; I think there may be cases where you may angle for them, for you have to fish for every fish, and there are so few that you can catch that you can hardly call it unreasonable; it would show a good amount of reason to be able to get them at all, but I think it is certainly unreasonable to take them when they are spawning in the way they are taken now.

637. Is it not cruel, as well as most unnatural, to kill fish when they are spawning?—Yes, I think it is cruel and it is unnatural; I think anything that is unnatural is more or less cruel.

638. Substantially I want to get your opinion, because one of the great features of this Bill is the close season. You approve of a close season for the reasons you have assigned, and one of them is to continue the sport of the great mass of the people?—Yes, that is one reason. I think the chief reason is as to the matter of food.

639. Do you think there should be an exception with reference to angling in the close season?—Yes, I think, taking the whole of England through, there ought to be.

640. Why would you make an exception in the case of angling when you do not do it with reference to game. You do not allow people to shoot game in the close season?—Certainly not.

641. Why should you allow people to take fish?—You misunderstand me. As a rule I should advocate a close season for the rod-and-line, but I think in some rivers it would so little affect the diminution of the fish that you might pass the question over. I am trying to argue fairly for both sides.

642. Do not you think it would be better to have a close time for the rod as well as for the net?—Yes, I think so. I think broadly it would be better to have a close time for the rod as well as for the net.

Mr. Mundella.

643. Do you mean that as a matter of principle

Mr. Mundella—continued.

you would prefer a close season against rod-and-line and every other instrument, but as a matter of expediency you think it might be needful to allow angling where the fish is very abundant and the population is small?—No; the way in which the questions were put to me seemed to bring out this confession from me, that in certain rivers it would not affect the diminution of fish if the rod-and-line were not exempted. That is all I said; I should exempt them as a rule, but if you come and push me to the question, Would it make any difference in the Ouse? I say no, for I do not think it would.

644. Still, in your opinion, it is a harmful and unnatural thing to do?—Yes.

645. Whether the fish is abundant or otherwise?—Yes. I think it would be better, taking it on the broad ground, to limit the close season for rod-and-line as well as for netting.

Mr. Rodwell.

646. In public waters?—In public waters; I have nothing to do with private waters.

Sir Andrew Lush.

647. You are applying the legislation to all rivers and streams, except ponds in gentlemen's parks?—To all rivers and streams, and to all ponds that are naturally connected with rivers. I must refer the Committee to the French laws as to what that means; I cannot pretend to say.

648. Do you think there would be much difficulty, practically, in defining that?—As I said before, I suppose the difficulty is overcome in the French law, and, I apprehend, in the same way it would be overcome in this country, but how it is I cannot pretend to say.

649. You perhaps would reckon a gentleman's pond in the same category that I should reckon his barnyards with his tame pheasants?—Yes; it is like Tring Reservoir in Tring Park. That is an immense reservoir. It is private, and has no connection with any stream whatever; I should not bring that under the law, or, for instance, a large lake, unless it is a public lake.

650. Where a stream runs through a lake, or anything of that kind, you would consider that as "connected with"?—That is a question which it is very difficult to define. I cannot define that. I could not pretend to say whether it was fed by a stream which was public in a certain portion, and which would constitute that lake in a private park a public water. There is one remark that I want to make about the nets. Some people cry out and say, "Oh, if you limit the size of the net, what are you to do with eels?" But I apprehend it will not affect eels at all, because you would limit them to drag nets, and so on, whereas eels, of course, are caught by a set net, to which is attached a bow net. Ordinary fish would not be caught by that; you might catch eels all the year round, but ordinary fish directly they come with their noses against the set net turn tail and go away, but the eel wriggles about until it gets to the hole, which is the bow net in the centre, and is caught. Therefore you may fairly, through the whole season, exempt eels, which are very good for food. You must have a small net for eels.

Mr. Dillwyn.

651. You spoke about angling clubs?—I do not

*Mr. Dillwyn*—continued.

not know anything about angling clubs. There are a good many in England, but I do not know anything of them; I never was a member of one.

652. You do not know the particulars of any? —No; I have fished in angling club waters often.

653. You spoke of Mr. Dench's private waters, five or six miles of river; how does he own these waters; is he the owner of both sides of the river?—No, he owns them in this way: a property was left to him by a lady; when the lady died, there were certain rights of water which were considered to be so through use for a certain number of years; he continued these rights on the plea that they were used by the lady who gave him the property, and that they have been used for the last 30 years, and therefore as a matter of use he could claim them, and possession being nine points of the law, it is difficult to say whether they are his or not.

654. He does not own them as owner of the property?—No.

655. Nor as representative of the Crown?—No.

656. He owns them in fact by right of having acquired them somehow?—By accident.

657. By the right of time?—Yes.

658. What depth of water is there?—It is very deep in some places.

659. Is it navigable?—Yes.

660. He would have no right to prevent netting there, would he?—Yes; whether he has a right to prevent it or not, he lets the netting for this low sum. I have heard that he lets it for this low sum because the fisherman says, if you do not, I will still fish, and you will have to oust me if you can.

661. You do not know whether there has been any trial to ascertain whether he has the right to prevent netting?—No, there has been no trial.

662. He might claim the right to prevent fixed engines; but does the lessee of the property attempt to prevent netting from a boat without a

*Mr. Dillwyn*—continued.

fixed engine?—That I do not know, but I should fancy that if anyone did attempt to net in that way except simply throwing a cast-net he would dispute the right.

663. A cast-net, of course, would be no fixture? —No, I apprehend whether they could or could not, a simple cast-net being such a little thing, and only able to catch such a few fish they would not dispute the question. It would not be worth while for a man to throw a cast-net except to catch a few fry for jack fishing. A fisherman would not do it.

*Mr. Mundella.*

664. The fishermen are poor and cannot afford to dispute the question with him as to his rights? —No.

665. He is getting a regular annual fee paid him by these men?—Yes.

666. And gradually acquiring manorial rights? —Yes.

*Mr. William Lowther.*

667. Did I understand you to say, that they fished at night?—Yes. In the French Act, there is a prohibition against fishing at night; from sunset to sunrise there is a prohibition.

668. Do you think that would be practicable in England?—I should think so; I do not know why it should not except for eels.

669. And it would very much assist the fish? —I should say so. I may say if an Act such as this were passed without any addition as to a net that the fishermen in our neighbourhood would do all they could to fish during the night-time.

*Mr. Bristowe.*

670. Are you quite sure that by the French law you cannot set a net in the river at night?—I know that there is in the French law a clause to the effect that no netting should take place excepting for eels from sunset to sunrise. That is the English translation of the clause.

*Mr. THOMAS RANSOM SACHS, called in; and Examined.*

*Chairman.*

671. I BELIEVE you were at one time, I am not sure whether you are now, Secretary to the Piscatorial Society?—Not now; I was formerly Honorary Secretary to that Society. The present secretary is Mr. Lander.

672. Have you any connection with that society, or with any other piscatorial society? —Yes, and the Thames Angling Preservation Society.

673. Are you an official of the society; do you act as secretary?—I am only a member of the Thames Angling Preservation Society, and one of the committees.

674. What is the power that the Thames Angling Preservation Society has over the waters of the Thames; under what authority are the rules made?—Under the Conservancy Board. I really think that is a proper question to ask Mr. Brougham, who is the secretary, and is now present.

675. What are the points about which you would like to give evidence; do you wish to speak with regard to the close times?—The close time of angling.

O.110.

*Chairman*—continued.

676. With regard to trout, you have a close time, I believe, from the 10th September to the 25th January?—We have, and that is for the lower waters only.

677. What do you call the lower waters?—From Staines to the Medway.

678. Above Staines, what is your close time? —You are allowed to fish from the 1st April to the 1st September.

679. As regards the fish which are principally the subject of discussion in this Committee, that is to say, what have been called coarse fish, or as anglers prefer to call them, white fish, I believe the close times are March, April, and May?—They are, in the upper waters as well as the lower waters.

680. Both waters are alike with respect to those fish?—Yes.

681. You have regulations also with regard to the size of fish?—We have.

682. Not now with regard to weight?—No, they are measured by inches in the rules of the Conservancy Board.

683. Have you any regulations with regard to nets?

*Rev. J. R. Cramford.*

31 May  
1878.

*Mr. T. R. Sachs.*

Mr.  
T. R. Sachs.  
31 May  
1878.

Chairman—continued.

nets?—There is no net allowed in the Thames whatever, neither the upper waters nor the lower waters. I am speaking as far as Richmond Bridge; below Richmond Bridge there are nets, because the men catch flounders, and such like below, but between Richmond up to Oxford no nets whatever are allowed now.

684. At no period of the year?—At no period of the year.

685. Or for any purpose whatever?—Except the Conservancy allow the river keepers to net some fish for scientific purposes, or to stock some other portion of the river.

686. I suppose nets for getting bait are allowed?—Yes, small cast-nets. The fishermen have those little nets to provide you with bait.

687. Can you tell me at what time these regulations first came into effect; how many years ago; I believe a very long period back in the middle of last century there were very stringent rules with regard to the Thames, were there not?—Yes.

688. Is it within your knowledge that netting in the Thames has ever been pursued to a great extent for freshwater fish?—Oh yes; I cannot tell you the exact date.

689. Are you looking at the “Rules, Orders, and Ordinances made on the 1st November 1785”?—Yes, that is very true, but the netting has been stopped I should think about 20 years ago; it was in 1860.

690. You cannot tell us what were the rules with regard to netting previous to 1860; you speak of fishermen being allowed to net at that time?—Yes, there were regular fishermen; they paid a license to the Conservancy Board; they had their apprentices as well.

691. Since the creation of the Thames Conservancy Board, have they always had entire jurisdiction over the fishing as well as other concerns of the River Thames?—Yes; the Thames Angling Preservation Society hold their powers under the Conservancy Board; they can discharge the Thames Angling Preservation Society at any day; we merely protect the river for them.

692. Have you any exemptions whatever in close time?—Yes; March, April, and May.

693. During the months of March, April, and May, is anybody allowed to fish on any pretence whatever with rod and line?—Yes, for trout only.

694. With regard to the fish which we are principally talking about, there is no permission ever given?—No.

695. Have you found any difficulty in enforcing that regulation?—No, we have a very great staff of keepers on the river; it is well looked after, and we never hear anything to the contrary.

696. How do you pay for keepers; how are the funds of the association got together?—By voluntary subscriptions to the Thames Angling Preservation Society; it is merely a private membership.

697. Can you tell us anything about any private waters that are in connection with the Thames, or close by; has there ever been any difficulty about them?—Yes; in the upper portion of the river there are several private waters which are owned by gentlemen, and they can prove their right to those waters.

698. And they are altogether exempted from

Chairman—continued.

any jurisdiction of the Thames Conservancy, or of your club?—Yes; they can show ancient charters, and they can even net, I believe; they cannot be prohibited from that.

699. I need scarcely ask you, the supply of fish in the Thames, I suppose, is on the increase?—Very much indeed.

700. And not only are there more fish, but larger fish?—Immense fish; I should think they have increased three or four times what they used to be.

701. Are you acquainted with any other rivers in England, about which you can speak to the Committee; I suppose you are very fond of fishing?—Yes.

702. And have probably fished in a great many other rivers?—Yes.

703. What rivers?—There is the Colne; I have fished in that a great deal; that has many branches running into the Thames, and I am sorry to say is very much poached; it runs through a great many gentlemen's private grounds, where the trout are well cared for, but in flood time they escape, and there are certain rights in certain villages, where they can go in with a net twice a week; I might instance Colne Brook and West Drayton.

704. It would be convenient if you could give us your ideas as regards the establishment of a close time as affecting the River Colne in common with other rivers which have now no protection; what do you say as to the close time which has been proposed. Would you propose a close time as regards the Colne for other fish than trout?—Exactly; I should form it just the same as the Thames; in fact, our Piscatorial Society rules act for the Colne just the same as the Thames.

705. How do you mean they act for the Colne?—The same close time; we make it a rule not to fish in those months that are prohibited in the Thames; in fact, we dare not show a fish in the room; if we did, we should get laughed at.

706. You have no power over the river?—Not at all.

707. Is it the fact that persons who live there, the population, fish in the Colne in what you would like to be the close season?—They do.

708. Do they net there too?—They do.

709. With a view to preserving fish in the Colne, you would be in favour of some such close time as suggested in this Bill?—It is very necessary.

710. Have you considered the provisions of this Bill?—I have.

711. With a view not only to what you would like to see as a fisherman, but what you would think was a practicable way of enforcing the law?—Yes.

712. What do you say with regard to that; you would, I apprehend, be in favour of a close time as against anglers, besides nets?—Decidedly. I think it is a very necessary thing that there should be fence months for the rod and line. I may mention that, with a few friends that I know, we could do a great deal of mischief in the fence months with a rod and line, much more than the nets with the large fish.

713. More than with nets?—I believe you can catch the larger fish with a rod and line, because they lie in deep waters where the net cannot reach them.

714. It was said the other day by Mr. Buckland

*Chairman*—continued.

land that during the spawning season very few fish were in the habit of rising or taking freely; you think that some of your friends are so clever that they can induce a fish to take during the close season?—Pike and perch must live, and therefore you can catch them all the year round.

715. You think that that answer of Mr. Buckland must be qualified to some extent?—I fancy it ought to be. I do not think Mr. Buckland meant what he said.

716. In the River Colne is there much sale of fish for the market?—No, not that I am aware of. The only sale that they have from the Colne is this: there are men who catch the dace, and they supply the fishing-tackle makers in London, but that is only a certain time of the year when gentlemen go out jack-fishing.

717. That is for bait?—Yes.

718. There is a considerable amount of netting in the Colne?—A great deal, only from mischief, nothing else.

719. When you say mischief; I suppose it is the labouring population, and so on, who live there?—Yes.

720. They use the net to get fish for their supper?—No.

721. It is not for wanton waste; I do not understand you to mean that?—They go out netting for mere wanton mischief; they really do not want the fish; they are thrown away mostly, or they give them away.

722. You do not mean that that is the idea they have of sport?—It is their sport; they think it is sport.

723. Is it not their habit generally from a boy upwards, to try and fish with a rod as soon as they can?—No; there are a certain class of men, as I have said before, the copyholders of these villages, who have two days a week the right to go and net the river, and they will do it. It is quite a fair at the time they do it.

724. They have a right, I understand you to say?—They have a perfect right.

725. A legal right?—Yes.

726. How far would that be affected by this Bill?—I should think an Act of Parliament would override that.

727. That leads me to the question of private waters; you are aware that some difficulty may arise with regard to the prohibition in private waters?—Yes.

728. Is this a public or a private right which they possess?—Some portions of the Colne are public and some are private.

729. Generally, with regard to these men whom you say are copyholders, and hold by a copyhold tenure, can you say whether it is in the nature of a public right, or is it some private right that they have?—It is a private right, certainly.

*Mr. Rodwell.*

730. Do you mean a personal right that a man has living in a particular house, as a sort of right of common?—Exactly. If you purchase a house in one of these villages it gives you the right of fishing.

*Chairman.*

731. While we are upon the close season, do you agree that the time which appears to be by common consent fixed, the 15th March to the 0.110.

*Chairman*—continued.

15th June, would be a useful and serviceable close time for all kinds of coarse fish?—I think it is very desirable that it should be from the 15th March to the 15th June, as a general thing; but still, for all that, I do not think you ought to take jack so late as the 15th March.

732. Therefore you would agree with the last witness, that were it possible you would prefer to see the close time for jack commence much earlier?—Yes.

733. The 1st March or the 15th February, I understood Mr. Crawford to say?—Yes; certainly not later than the 1st March.

734. With regard to the Thames, your close time is the same for pike and jack?—Yes.

735. That is to say it is March, April, and May?—Yes.

736. And the only difference is with regard to trout, which are a different kind of fish?—Yes; all angling societies do not agree with the Thames laws; for instance, we do not commence to fish for jack till July. Another society I may mention, the "True Waltonians," do not commence to fish for jack till the 1st August; they do not consider them in good condition before.

737. Looking at the question more generally, from your knowledge of what is the case with rivers generally throughout England, you would clearly be of opinion that something must be done to preserve freshwater fish?—Yes.

738. With this view you would suggest a close season of the kind I have mentioned?—Yes.

739. As against angling as well as against netting?—Yes.

740. I apprehend you would of course suggest the prohibition of sale of these kinds of fish?—Yes.

741. Would you think it practicable to do anything about the size of the mesh to be used during the rest of the year?—I have no knowledge of that.

742. Nor again with regard to the size?—No; we have very strict rules in our society about fish; we never have any small fish.

743. Of course those rules can always be made by the various angling societies; we are now speaking of legislating in the simplest manner, so as to do the utmost that can be done to preserve fish without interfering with the rights or powers of these private societies?—Yes.

744. Have you any idea whether such a law as this would receive general support from the various classes who would be interested in it; for instance, on the Colne, do you know anything of the state of feeling of the population there; you might have some considerable difficulty, might you not?—All anglers will agree with it. I am positive of that. Even a poor man, who fishes with a rod and line, will agree with the suggestion of the 15th March to the 15th June.

745. That is to say, in all districts where the great majority of the population are fond of angling, I understand there would be no difficulty whatever?—Not at all.

746. But you can conceive it possible that in other districts there might be considerable difficulty in enforcing the law?—Just so.

747. And you would prefer therefore to make it as simple as possible with a view to inducing a good feeling on the subject, rather than to pass an inoperative Bill?—Yes.

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748. The

Mr.  
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Mr.  
T. R. Sachs.  
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Sir Andrew Lusk.

748. The Thames Angling Preservation Society is under the Thames Conservancy?—We are.

749. Whatever laws you enforce are enforced in their name, I suppose?—Perfectly so.

Chairman.

750. How do you enforce penalties?—Do you mean the Thames Angling Preservation Society?

751. You enforce them under powers given to the Thames Conservancy?—Yes, but we cannot enforce penalties; we can only summon the offenders, and they are punished by the magistrates.

752. Can you directly, by your servants, your keepers, summon a person offending against your bye-laws, and bring him before a magistrate to be dealt with in a summary manner?—Perfectly so.

753. You do that under powers derived from the Thames Conservancy Acts?—Yes.

Sir Andrew Lusk.

754. You, as a practical fisherman, say that since you commenced to preserve, and have a close season, the fish are much increased in number?—Very much.

755. They have much increased in number within your experience?—Very much indeed.

756. And in size as well?—Very much so.

757. Do you say that a clever angler could do a great deal of damage in the close season with a rod?—No doubt of it.

758. Then you would have a close season throughout all the country against anglers, as well as nets, I suppose?—I should.

759. There are not many fish taken from the Thames for sale, I suppose?—No, they have not much chance, our bailiffs look so sharp after the poachers.

760. And it is really more for sport than for profit that people go there, I suppose?—Decidedly; there are poachers that will net, and they go and sell the fish down at the Jews' market in Whitechapel; there is always a ready sale for them.

761. It is not, as a rule, for profit, that people go to fish?—No.

762. If we were to enact a law such as you refer to, do you think it could be practically carried out?—It is, in fact, practically carried out in the Thames now, just what you propose to do.

763. Under the authority of the Conservators you are able to carry this out without much opposition from those upon the banks of the river?—Just so.

764. Do you carry it out, on the whole, very fairly well?—Yes.

Mr. Rodwell.

765. I did not hear the first part of your examination; are you secretary to any fishing society connected with the Colne river?—Not at all.

766. These fishing clubs, a great many of them, hire portions of the river?—Very few.

767. What do they do then?—For the simple reason that they cannot get them.

768. Take the River Lea, are there not several fishing clubs in London that have so many miles of swim on the River Lea?—No, they belong to the different taverns.

Mr. Rodwell—continued.

769. Then they have the different clubs connected with those taverns, and they have their particular days for fishing?—Yes, and they have fence months there.

770. Is it the same on the Colne?—No.

771. You would pass a law which would prevent these copyholders or persons having these rights which you talk of, from catching the fish as they have been accustomed to do?—I think it is a very desirable thing to do.

772. That is for the purpose of the anglers?—Yes; as to the question you asked me about fishing on the Colne, there is a fishery called Thorneybroad near West Drayton, and that is the only one that I know.

773. Is that in the hands of a club?—No, it is in the hands of a proprietor; a respectable man named Godfrey.

774. And he lets tickets for the fishing?—Yes, and he has his fence months.

775. Supposing you had the Colne put under the same system as the Thames is, for instance, how would you defray the expenses of watching and preserving that, because amongst these riparian people you would require keepers and watchers?—I should imagine the landowners would do it themselves.

776. Why?—Because it is all their property.

777. A landowner can do that now, cannot he?—No; he cannot prevent the copyholders netting.

778. No doubt he cannot; you think the landowners would be glad to see the copyholders deprived of their rights?—Certainly, as far as poaching goes.

779. I take the case where the copyholders have not rights; how would you defray the expense of the persons who would be required to watch the rivers, and keep off the poachers?—It could not be done in any other way than by a club, as in other rivers.

780. It seems to me to be a practical difficulty; if you apply this law to every stream all over England, in order to make the law operative you must have parties to enforce the law?—Yes.

781. I want to know how the expenses are to be defrayed; would you put it in the county rate, or what; would you suggest that it should come out of the Consolidated Fund, to pay for the expense of prosecution, and so on?—By the means of an angling club.

782. In any case where there was not an angling club you would not enforce the law?—I do not see how you can.

783. How would the law be enforced then?—I am not lawyer enough for that. I would mention there are plenty of other private waters. There is one at Slapton Lea, in Devonshire, which is divided from the sea by about 150 yards of sand. I have fished there myself, but Sir Lydstone Newman now prevents anybody fishing there. He has claimed it and carried it to a court of law and got it, and formerly the public used to fish there.

Chairman.

784. He would not be affected by this Bill?—Well, I do not know.

785. You would like him to be affected?—I think he ought to. I do not see why the public should be deprived of their right.

786. How

*Sir Robert Buxton.*

786. How long has the prohibition of rod-and-line fishing in the close season on the Thames been in operation?—For trout?

787. For coarse fish, during three months, March, April, and May?—You mean when the nets were taken off?

788. No, I mean the prohibition of rod-fishing in the close time, the spawning season; can you tell me how many years that has been prohibited on the Thames?—No, I cannot. It is a great many years.

*Mr. Dilhoy.*

789. You spoke of a gentleman in Devonshire; can you tell me what sort of water it is; is it deep water, navigable?—Not at all. It is a pond, a lake. It has been formed by the sand being thrown up by the sea which caused an embankment, and this pond was created by that means.

790. You spoke of the Lea; you said the fisheries there belong to the taverns; can you tell me how the taverns acquired the rights to the fisheries?—Nothing further than this, they rent the waters of the different proprietors the land belongs to. They pay an annual rent; they extend from the Rye House to Broxbourne and all the way down to the Thames.

791. Is that navigable?—It is navigable; there are boats.

792. Can you tell me how the copyhold rights which you speak of on the Colne were acquired?—No, I do not know.

793. Probably manorial rights?—Yes, very ancient.

794. The Thames, of course, is exceptional altogether; that is under a special Act?—Yes, under the Conservancy Board.

*Mr. Mundella.*

795. How long did you say you had been a fisherman?—Over 50 years.

796. You consider yourself well acquainted with the habits of fish?—I have had very great experience.

797. And you say that during the spawning season perch and pike can be taken just as well as they can out of season?—I think they are rather more eager.

798. Then practically a close season is as necessary against the rod and line for perch and pike as for any other fish; trout, for instance?—Decidedly so.

799. Even more necessary perhaps for perch and pike than for trout?—Yes.

800. I suppose trout are much more difficult about taking bait when they are spawning, are they not; they are shy of bait?—Yes.

801. Trout will not take the bait when they are spawning, will they?—No, they are very aristocratic.

802. But perch and pike are not aristocratic, they will take it?—Yes.

803. There are many thousands of people, are there not, who fish on the Thames within the districts of which you speak and with which you are associated?—Thousands.

804. Many thousands?—Yes.

805. Of course a great many bankers' clerks and people who enjoy a Bank Holiday?—Yes, many.

806. And these people do not fish for coarse

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*Mr. Mundella—continued.*

fish or white fish on the Bank Holiday, do they?—Oh yes.

807. For white fish?—Yes.

808. I thought you said it was prohibited, I mean during the close season?—Of course during the close season they are not allowed to fish at all.

809. Whether it is a Bank Holiday or not?—Certainly not.

810. And they do not desire to do this?—No; they know it is the law, and they abide by it.

811. May I ask you what you think is the value of fish as an article of food, taken during the close season?—The poachers on the banks of the Thames sell them at 2*d.* per pound.

812. Is it fit for food?—No, certainly not.

813. Unwholesome?—Very.

814. You were asked, supposing this Bill passed into law, how it could be enforced; would it be enforced by the anglers themselves against anybody poaching during the close season?—Decidedly.

815. Whether there were keepers or not; every angler would be, so to speak, a keeper or a water bailiff, would not he?—He would naturally be so.

816. Wherever there is a large population there are always large numbers of men fond of fishing, are there not?—Very.

817. They themselves would take care that the law was practically obeyed?—Exactly. I do not know of any better enjoyment for a man than to go out fishing; even if he goes fishing on a Sunday he gets fresh air, and, as a rule, anglers are very abstemious.

818. You say that the fisherman, as a rule, is an abstemious man?—Very.

819. And you think, from the point of view of promoting a healthy recreation for the millions that are cooped up in our large towns, it would be a good thing to pass this Bill?—I do.

820. And you would have fence months against the rod and line as well as against the nets all over England?—I would.

821. Gentlemen always do that for trout, do not they?—Yes.

822. And no man can fish in a trout stream or in a salmon river during the fence months, can he?—No.

823. Is it fair to protect the gentleman's fish more than the poor man's fish?—No.

824. And the poor man's fish affords him as much sport as the gentleman's fish affords him, does not it?—Of course it does.

825. The law at present gives protection for all salmon rivers?—It does.

826. And for all trout and char in salmon rivers?—Yes.

827. And therefore the gentleman's fish is protected?—It is.

828. And they will not allow angling with rod and line, or with any instrument, for the gentleman?—Certainly not.

829. Then you are of opinion the same law should be extended to the poor man's fish?—Decidedly.

*Chairman.*

830. Is the salmon peculiarly a gentleman's fish?—Very.

831. You are acquainted with many salmon rivers, I presume?—I am, and I have caught a great many salmon.

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832. Have

*Mr. T. R. Sachs.*

31 May  
1878.



Mr.  
T. R. Sachs.  
31 May  
1878.

Chairman—continued.

832. Have not you seen many labourers catching salmon with rod and line?—Oh, yes, in Ireland.

833. And trout?—Oh, yes.

834. That is not peculiarly a gentleman's fish, is it?—There is not much chance of catching

Chairman—continued.

many of those in England, because the waters are mostly rented and preserved by gentlemen.

835. Are you not acquainted with some gentlemen who prefer pike fishing?—Yes.

836. And a great many gentlemen go out to catch perch, do not they?—Yes.

Mr. WILLIAM HENRY BROUGHAM, called in; and Examined.

Mr. W. H.  
Brougham.

Chairman.

837. You are the Secretary of the Thames Angling Preservation Society, I believe?—I am.

838. And have been for some time?—For 15 years as the secretary, and five years previously as an active member of its committee.

839. How long has this Thames Angling Preservation Society been in existence?—The Thames Angling Preservation Society has been in existence 40 years.

840. You derive any powers that you exercise over the preservation of the fish in the Thames from the Thames Conservancy Board?—Entirely.

841. And you are constituted under an Act of Parliament?—Under an Act of Parliament passed in the 30th year of the reign of George 2nd. The Conservators made their bye-laws under that Act. You are aware that the Act of Parliament was first given to the city, the Lord Mayor then being the conservator of the River Thames, and that in the year 1857 the powers were transferred to the Board of Conservancy.

842. You do not mean to say that the powers of the Thames Conservators are now as great as those which I see in this report were given to the Mayor and Aldermen of the City of London in 1785?—I think entirely so.

843. "That no person shall lie, or bend over any net whatsoever, during the time of flood, whereby any kind of fish may be hindered or kept back from swimming upwards, for the benefit and profit of such fishermen as dwell above London Bridge," and so on?—Yes.

844. And all these regulations which I see regarding the size of the fish allowed to be taken, of eels and salmon; all that is in existence?—Yes.

845. But I presume it is in abeyance?—Yes. The Lord Mayor now is the Chairman of the Board of the Thames Conservancy.

846. The ornamental chairman, as a rule?—Entirely so.

847. We have heard about the close time which you have for trout, and the close time which you have for coarse fish or white fish?—Yes.

848. Can you give us the date when this close time was first established for rod and line?—After the passing of this Act. The bye-laws were then made from it.

849. The bye-laws were at once made under that Act?—Yes.

850. That is to say originally by the Mayor and Aldermen of the City of London?—Yes.

851. They were not new bye-laws first passed when the powers were given in 1857 to the Thames Conservancy?—No, I think not.

852. Therefore for a very considerable period of time for a good many years there has been a close season, both as against nets and against anglers, for various kinds of fish in the Thames?—Yes. Netting you are aware has been abolished

Chairman—continued.

since the Board of Thames Conservancy has been established.

853. No netting is now permitted at all?—Above Richmond Bridge.

854. Within your knowledge has there been a very considerable increase of fish in the Thames?—There is no doubt about that. I think that arises principally from one step which was taken some years ago after I became secretary of the society. At that time there was a great slaughter amongst the small fish. The laws of the river were not enforced, and anglers took away with them even little roach something like three or four inches in length; and after I became secretary of the society I was determined to put a stop to this taking of unsizable fish, and to make an example of the first offence. We found in the possession of one angler, and taking away with him, something like 80 roach not measuring more than three or four inches in length, the proper standard being eight inches. The man afterwards was summoned before the Brentford Bench; he pleaded guilty and was fined, and I think since that step was taken, which has been followed up year after year, the fish have not only increased in size but largely increased in number.

855. What are the regulations under which your bye-laws are published; under the Act are you obliged to publish your bye-laws in certain newspapers in the district?—Only when there is an alteration in them.

856. You have regulations now with regard to the measurement of fish, I think?—Yes.

857. You have none with regard to the weight of fish?—Excepting in the case of trout.

858. In the case of trout, also, is not measurement a safer test than weight. Is not weighing a fish, as a matter of fact, rather liable to damage him and make it more difficult to put him back alive?—I think there is less difficulty in measuring than in weighing them.

859. To come now to the proposal before the Committee, we should like to have your opinion, from the knowledge you have of other rivers not so happily circumstanced as the Thames, as in what way fish can be preserved in them?—I have not much experience in other rivers; my experience has been mainly connected with the Thames.

860. You are here to give us very valuable information as to the state of the law on the Thames, but you do not propose to give us any opinion as to this proposed legislation?—Not on any other river.

861. We are to derive our opinion of what is applicable to other rivers from what has been successful under your auspices and those of your predecessors with regard to the Thames?—Yes, from my experience of the Thames.

862. You have very little difficulty in enforcing your

*Chairman*—continued.

your regulations on the Thames, I believe?—Very little.

863. Bank holidays, for instance, which are a creation of the last few years, have not presented any special difficulty?—The only difficulty is when Whit-Monday happens to fall during the close season.

864. I mean a Bank holiday during the close season?—There is no difficulty.

865. But Whit-Monday is a day on which they are very fond of fishing?—This year it happens to fall in June, and then there will be no difficulty.

866. Generally throughout the whole district, and with all the population about the villages of the Thames, you have no difficulty in enforcing a close time?—Not in the least.

867. You carry public opinion entirely with you?—Entirely.

868. I suppose the greater portion of the population are very fond of angling?—Yes.

869. You have exceptions, I suppose, with reference to taking bait for the purpose of spinning for trout?—Yes, they are allowed to use a net for bait; and a landing net. These are the only two nets they are allowed to use.

*Mr. Rodwell.*

870. A casting net and a landing net?—Yes.

*Chairman.*

871. With regard to any private rights in private waters that come within your jurisdiction, are there any such?—There are none within the jurisdiction of the Thames Angling Society. There were above that district, that is above the City Stone at Staines, but I imagine the conservators have now got the entire possession of that water.

872. Then you cannot give us any practical explanation as to any difficulties which might exist in the proposed legislation with reference to private waters derived from the Thames?—Not at all.

873. Do you think it would be easy to make any regulations with regard to the size of fish generally in other rivers, because most of the opinions we have had tend to show that such a regulation would be hardly possible generally?—I do not think there ought to be any difficulty as to the size of fish; I think we ought to have one uniform standard.

874. Do not you think it would be better to leave such regulations to the angling societies?—I do not think so.

875. You think Parliament should say in an Act of Parliament, that fish shall not be caught below a certain size?—It would be better, unless doing that would at all jeopardise the carrying out of this Bill. I think the angling clubs would decide upon the proper measurements of fish.

876. And probably you would think that the passing of a Bill, however simple, in the direction of establishing a close time, would encourage angling societies to a very considerable extent throughout the country?—I am perfectly satisfied about that.

877. You, among others, would be very pleased that such should be the case?—Yes.

*Mr. Mundella.*

878. You say, now, that fish has very much increased in the Thames?—Yes.

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*Mr. Mundella*—continued.

879. And the close season is carefully observed?—It is.

880. Suppose there was no close season observed, and that the Thames was in the same condition as other rivers, would not you soon lose your fish?—I should be sorry to see an entire period for angling.

881. The result, you think, would be in a few years detrimental?—It would be detrimental to the good of the river.

882. It would afford very much less food and very much sport to the people who fish in it?—I think it very desirable that there should be a time of rest for the fish.

883. Is that, as far as you know, the opinion of the anglers generally throughout England?—Yes, I believe it is, especially if we take the opinion of meetings of anglers that I have attended; the general opinion has been in favour of a close period.

884. Do not you think, taking rivers where there are no Board of Conservators, as in your case, and no association, rivers in populous districts, if the law laid down a close season the anglers would go a great way towards enforcing that close season?—No doubt.

885. They would be very keen preservers themselves, would not they?—Yes.

886. And very jealous of anybody infringing the close season?—Yes. I think in many places it would cause the establishment of societies such as ours, preservation societies, not mere angling clubs, and they would be supported by voluntary subscriptions, as in the case of the Thames Angling Preservation Society, and keep a staff of river watchers.

887. It would tend not only to increase the pleasures of the people, but very much to increase the food of the people?—Decidedly.

888. Do you agree with Mr. Sachs that the anglers as a rule are a temperate class?—Yes, I do. I am about three or four days a week on different portions of the river and I never was abused by any man in an intemperate condition. I have never seen an angler, if I may use the term, drunk.

889. You have no doubt that it ministers very much to the health and enjoyment of a great number of men who avail themselves of it?—Yes. It has always been one great plea of mine in connection with preserving the river, that it promotes an innocent recreation and a healthful one too.

*Mr. Dillwyn.*

890. I understand you to say you advocate a minimum mesh for the size of the net?—No, I have not said that.

891. Do you think there should be an uniform standard for the size of the mesh?—Under our own bye-laws no net is allowed less than 2½ inches except in the case of a dace, and they are allowed two inches.

892. Dace is a small fish?—Dace are taken up to six inches.

893. Gudgeons, again?—The same net would take them.

894. A good-sized dace or gudgeon would go through a two-inch net, would it not?—Yes. You are aware we use what we call a scantling; this is an inch mesh.

895. If you have an uniform-sized mesh altogether, would not it operate badly, because some fish would require a much smaller mesh than others?—Yes, there would be a great difficulty.

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896. There

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Mr. Dillwyn—continued.

896. There would be a practical difficulty in carrying out the Act?—There would.

897. If you had an uniform scale of mesh?—Yes. You are aware that our close time for netting in the Thames extends over a period of four months, March, April, May, and June.

Chairman.

898. The close time for netting below Richmond Bridge?—Yes.

899. Above Richmond Bridge there is none at all?—No netting at all.

900. It is above Richmond Bridge, of course, rather than below, that resembles the rivers which we are considering?—Yes.

Mr. Mundella.

901. What you catch below Richmond Bridge is migratory fish, flounders and smelts?—Yes.

Mr. Isaac.

902. Have you any funds in your society?—Our funds are derived entirely from the voluntary support of the angling public.

903. I understood you to say that if this Bill now before the Committee passed, societies would probably be found, and would get some assistance from your society?—From their own neighbourhood.

904. You are disposed to think that if this Bill came into operation, the anglers themselves would be preservers of the various waters that they fished in?—Yes, I am quite satisfied of it.

905. In getting this law carried out?—Yes.

906. They would have sufficient interest in angling to induce them to do that?—Yes.

907. You do not use nets above Richmond Bridge at all in the Thames?—Excepting cast nets for bait.

908. Would you recommend close time for rods as well as nets in other rivers?—Decidedly.

909. Would you have an entire close time?—For both nets and rods.

910. With regard to the pike, would you advise that it should be a longer close time, beginning at an earlier date than with the ordinary coarse fish?—It would be well; but I think it would open up a great difficulty. The pike do spawn much earlier than the other. I think the great desire in this matter has been that we must give and take a little; to give them a fortnight in March and take away a fortnight in June.

911. Under these circumstances, you would have the close time from the 15th to the 15th, instead of the 1st to the 1st?—Yes; that is the time that has been fixed by the committee of the society I represent, the 15th March to the 15th June.

912. You would take that as a general close time for all the waters in England?—Yes.

Mr. Arthur Bass.

913. Do you agree with the previous witness that a close time would be comparatively useless without limiting the size of the meshes; we had a gentleman who said that although he was a strong advocate for close time, he thought it would be comparatively useless unless you also limited the size of the mesh of the net after the close time; do you agree with that?—I think it would be very desirable to have a size of mesh

Mr. Arthur Bass—continued.

defined, but some rivers might require a larger mesh than we should.

914. Your own idea of the size would be two inches?—Two-and-a-half inches.

915. Measured across?—Across.

Mr. Bristowe.

916. Have there been recently any alterations in the bye-laws respecting fishing on the Thames?—Only with respect to the netting, and that was the last alteration.

917. Since you have known the river, has the close time been the same?—Yes, quite.

918. And the bye-laws regulating the fishing, and the forbidding of fishing by rod and line have always been in existence during that time?—Yes.

919. When you say the fish has very much increased, from what period to what period do you take the comparison, if all that time the laws have been the same?—The laws were carried out in rather a lax condition.

920. The laws were the same, but the enforcing of the law was different?—Exactly.

921. Therefore, practically there has been a great alteration in the carrying out of the law, though the law remains the same as it was?—Yes.

922. Under your auspices a more energetic proceeding has been adopted?—Yes.

923. That is to say, you have looked after people more closely than you did before?—Yes.

924. You, as representing the Conservators?—Yes; we have great powers under the Act of entering punts and examining wells.

925. These are old powers under the Act of George the 2nd, which were not enforced till recently?—They have not been strictly carried out till now.

926. That being so, have you found any practical objection to your new method of proceeding on the part of either the riparian proprietors, or people inhabiting the banks?—Not at all. There was a little difficulty at first.

927. That difficulty has passed by?—Entirely.

928. I ask specially with reference to the poorer inhabitants on the river side?—Yes.

929. I am not asking about bank clerks, and people coming from London, but with reference to the poorer inhabitants along the banks, you have, practically, had no difficulty?—Not at all.

930. And, so far as they are concerned, your new method of enforcing the law has, practically, taken the shape of almost a new law?—Yes.

931. The difficulty at that time was this: then the angling clubs of London allowed their members to weigh any fish of any size, but they have now decided on a distinct size of fish, and we find no difficulty with these men at all, because they cannot do anything with them when they take them.

932. Is it your opinion, from your long experience, that there would be no difficulty in enforcing the provisions of this Bill on other rivers, as you practically have found no difficulty on the Thames?—I think there would be no difficulty at all.

933. Even in populous districts?—Not at all.

934. This may be considered a populous district?—Yes; we have no difficulty at all.

935. Neither from the inhabitants, nor from wealthier classes who might belong to angling clubs.

*Mr. Bristow*—continued.

clubs. Your observation applies to both?—It does.

*Mr. Rodwell*.

936. Perhaps it would be more easy to preserve these waters in this amateur way in populous districts than where it is not populous?—Quite so.

937. Therefore, although it might succeed in the neighbourhood of London, and Nottingham, and Sheffield, and such places, it might not succeed in the remote districts of England, where you have few people?—Yes.

938-9. What expense has been involved in preserving the Thames since this Act came into operation, what is the yearly cost?—The yearly cost is about 400*l*.

940. I presume that to carry out this law there must be some staff, plus the amateurs, because, although you have got these amateurs, you have watchers, and people of that sort, water bailiffs?—Yes.

941. Do you think it possible to carry out this law, without some analogous force or staff of that description?—I think there would be a difficulty about it.

942. That being so, have you considered at all in what way the expenses of such an Act as this are defrayed where there is no angling club or angling society; is it to come out of the county rate, or to be paid by the Chancellor of the Exchequer?—I should think by voluntary subscriptions of the people in the neighbourhood.

943. In the event of voluntary subscriptions failing the Act would practically become a dead letter, would it not?—I think there would be those found who would support it.

944. It would take its chance?—Yes; we found very little difficulty about it.

945. I suppose you are principally supported by anglers who belong to fishing clubs?—No, we are not. A great number of our contributors are men who do not angle at all.

946. Their love of the gentle art you think would extend perhaps to other districts of England?—I think so.

947. I suppose the angling societies comprise, as Mr. Buckland told us, but a fraction of the people throughout this country who enjoy occasional support, not to the extent and with the skill which what I may call professional anglers do, but a great many people throughout the country, young and old, fish occasionally for a day or two, and the number of people who belong to anglers' clubs is small in proportion?—I should say the smaller proportion.

948. Have you considered the effect it would have in depriving them of rational recreation and amusement for three months in the year in the streams of England by rod and line?—It might have a little effect at first; it would prevent them enjoying their sport, as it is termed.

949. I think probably the months of May and June are as agreeable months for a person to have a few days outing in the country as any other. Have you considered the inconvenience and annoyance to hundreds and thousands of people throughout the kingdom of making this strict prohibitory law as to fishing with rod and line in those months?—I think while studying their pleasure and amusement we have a greater point to consider, and that is the preservation of the fish.

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*Mr. Rodwell*—continued.

950. The preservation of the fish is, after all, for amusement rather than for food. It is the preservation for the amusement of one class which is limited against the preservation of fish for another class which is almost unlimited. Does it not come to that?—Yes.

*Sir Andrew Lush*.

951. You have been for, I think you said, 16 years acting under the Conservators of the Thames?—Under the Thames Angling Preservation Society, they acting under the Conservators.

952. You really, in fact, have a law such as some people would like to see extend throughout the country?—Yes.

953. And you find that law to work, upon the whole, very well?—We have no difficulty.

954. The bye-laws, you said, were made after the lord mayor and aldermen transferred the conservancy to the Conservators?—They were made previously.

955. The bye-laws you now act upon were made after 1865?—No, after the passing of the Act.

956. You have found, practically, that these bye-laws worked well in your district?—Yes.

957. And you do not think, looking at the people who go up the river, that it interferes much with the rights of anyone to make a close season?—No.

958. You think, instead of taking a man's right away, it would be almost like regulating his rights?—It would.

959. Do you live in London?—I live at Hounslow, which is in the neighbourhood of London.

960. I want to put this to you as an illustration. You know there is an Act for regulating the building of houses; a gentleman has a right to build a house, but he must build it according to the Act of Parliament?—Yes, that is where the local boards are in existence.

961. Do you think it should apply in the same way, that a gentleman should have the right to fish, but that that right should be regulated as to a certain season of the year?—I apprehend that you are not going to interfere with a gentleman's private rights at all.

962. I am speaking of the river generally. You think it would be no hardship at all to interfere with any of those rights. You were asked about rights. You have a close period for three months of the year for the good of the public?—I think you would find very great difficulty in carrying out the Bill if you did interfere with private waters.

963. You want a close season for all the country?—I should like to see it.

964. Do you think it would be a great hardship to any gentleman to be bound to obey the law if it made a close season?—I do not think so.

965. Even though he had a right to do it now, and it was his own river or stream, you do not think it would be a hard thing for him to have to desist from fishing for three months of the year?—I do not think it ought to be.

966. I suppose the reason why you think that is because fishing is a desirable sport to all classes of the community?—Yes; and I think it desirable that the fish should have a rest.

967. Are there an immense number of people who

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Brougham.

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Sir Andrew Lusk—continued.

who go up the Thames to fish?—A great number.

968. Do you think it is a sport that ought to be encouraged as desirable and healthy for the people?—Yes, I have not the least doubt about it.

969. By making a close season, would you really after all extend the sport instead of diminishing it; you would produce more fish, would you not?—Yes.

970. You having had experience in the Thames, are of opinion that making a close season you would increase the amount of sport for the other nine months of the year?—Yes.

971. And increase the fish?—Yes.

972. And, in the end, it would be better for all?—Yes.

973. Do you think, upon the whole, instead of diminishing the privilege and the sport of the public, it would increase?—It would increase it.

974. There are not a great many fish taken from the Thames, I suppose, for sale; it is not an appreciable article in the London market, is it?—Except by those fishermen who have the right of netting below Richmond Bridge; they make a trade of it, and get a good living; they take a large number of flounders.

975. Would you go against selling fish at all times in the close season?—I think it would be very desirable to restrict it.

976. And you would insist upon a particular size mesh?—Yes.

977. Your experience, you say, would be that in salmon rivers the salmon are preserved; why do people preserve salmon and trout in certain rivers?—I have had no connection with salmon rivers.

978. Do you know the reason why they do it; is it not because it increases the number of fish for the good of the public generally?—Yes.

979. And you think the same would apply to other fish as well?—Yes.

980. It happening to be a poor man's sport rather than a rich man's sport?—I think the great thing we have to look after is the poor man in fishing.

Mr. Mundella.

981. I suppose all the people who fish on the Thames are not members of your society?—No.

982. Nor of the fishing clubs?—No, a very small portion; there are a great many men now connected with angling clubs.

983. All the men who fish on the Thames are not connected with angling clubs or with your society?—No.

984. There are a great number of those amateur fishers of whom the honourable Member spoke, men who only get an odd day's fishing now and then?—Yes.

985. Do not they all derive great advantage from your work?—There is no doubt of that.

986. I suppose, when this law was passed, such societies as yours were not in existence?—The society sprang into existence entirely from a want of that law being carried out; there was the law, but it was not enforced, and we felt that a society was needed to carry it out.

987. If this law were passed, have you any doubt that the angling societies all over the country would lay themselves out for preservation?—I think they would.

Mr. Mundella—continued.

988. That would be encouraged?—The interest in angling is much greater than it was.

989. They have no means in public boards of enforcing a close season now?—No.

990. A little subscription would enable them to prevent poaching and an infraction of the law?—Yes.

Mr. Dillwyn.

991. The honourable Member for Cambridge-shire said it was a very pleasant time of the year to be out fishing in May and June. I suppose there is no doubt about that?—I will not deny that at all.

992. The reason you put the close months in May and June is because that is positively the breeding season of the fish?—The fish are all going up spawning.

993. There is no way to meet the honourable Member's objection, unless we could prevail upon the fish to breed at some other time in the year?—Yes.

Mr. Mundella.

994. Do not fishermen consider nine months in the year of good sport better than bad sport all the year round?—Yes.

Sir Andrew Lusk.

995. Your society has no exclusive right to fish in the Thames in the season?—No.

996. Everybody has a right to fish in the Thames in the season?—Yes, it is a perfectly free river.

997. You may be very useful and kind to the public in teaching them what they ought to do, but you have no exclusive right to fish in the Thames?—No.

998. It is free to the public?—Yes, the only restrictions are as regards the seasons and sizes of the fish.

999. And that is in virtue of the powers conferred upon you by the Conservators of the Thames?—Yes.

Mr. Mundella.

1000. Anybody may fish in the Thames, whether a member of the angling club or not?—Yes, except the three months.

1001. For which you have a special law?—Yes; the poorest man in London has as great a right to fish in the Thames as the Prince of Wales.

1002. In your opinion, the law fixing a close season, and the operations of the Thames Angling Preservation Society have done immense good for all anglers whether they are members of clubs or not?—Yes.

Mr. Dillwyn.

1003. With reference to the objection that the law would be inoperative unless anybody put it in force, practically speaking, it may be put in force by all fishermen, and they would put it in force if they saw constant fishing?—Yes.

1004. The same as the game laws?—Yes; if there was a general law in every district there would be some one found to take it up.

Mr. Bristowe.

1005. Practically you answered those questions to me about every poor man all along the river having the full right to fish?—Yes.

Mr. JOHN FELL, called in; and Examined.

*Chairman.*

1006. You are the Chairman of the Kent Board of Conservators?—Yes.

1007. That comprises a district of the Lakes which you will, perhaps, explain to the Committee?—The Lakes of Windermere, Rydal, Grassmere, Coniston, and a number of smaller lakes and tarns.

1008. You have lived in that district all your life?—Yes, I am a native of the district; I have lived all my life there.

1009. You have been Chairman of the Board of Conservators since the creation of the district under the Salmon Act?—Since the formation of the Kent district.

1010. I have before me a copy of the evidence which you gave to Mr. Walpole and Mr. Buckland when they were making an inquiry in Bowness, in February of this year. I do not propose to take you closely through it; I would rather leave those questions to be asked by honourable Members more familiar with the district; I understand you to suggest that it would be well to place the English Lake district as a whole under a governing body, and this governing body should have powers to make bye-laws as to modes and times of fishing, and that it should also have power to impose license duties on rods and nets, that is, with a view to more preservation of trout and char than exists at present?—Yes.

1011. Trout and char are sufficiently protected wherever there exist conservancy boards?—No, not as to nets; there is no power to regulate the mesh of nets.

1012. Your further recommendation is, that you propose to give the salmon fishery boards the power of regulating fisheries, and you propose to give them the power to fix the minimum size of mesh, by Statute, you say; but I suppose it would be sufficient if by bye-law?—Yes; I should like to explain; with regard to these recommendations, my idea arose from special legislation being applied to the English Lake district, and it was only when this measure was promoted that we conceived the idea that it would be fair at all events to consider the freshwater fish of the English Lake district, if any general enactment were to be made, and, therefore, those recommendations which are there are rather applicable to the legislation purely for the English Lake district.

1013. Provided a Bill should be drawn, or an Act should be passed, which should satisfactorily apply to your district, also; you would be content with that quite as much as with having an Act passed, especially for your district, as was passed last year for the Norfolk and Suffolk district?—Certainly.

1014. Which I understand to be very acceptable in those districts?—Yes; the question of boards under such an Act would probably be very different from some of the provisions which might be made by special legislation for the English Lake district.

1015. You do not take any peculiar notice, I suppose, of the fish which are the principal subjects of our inquiry, the coarse fish, and white fish?—I have always been an angler, and know a good deal about fishing. In the Lake district, of course, there are a great number both of pike and

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*Chairman—continued.*

perch; those are the principal fish other than the trout and char; but there is a great difference of opinion with regard to them; I should say that the pike and perch ought to be separated in any legislation. Pike with us are, no doubt, more or less destructive, but, in my opinion, not so destructive as most people imagine; I am of opinion that, if a close time is desirable, it is desirable for all fish. There might be exceptional provisions with regard to the English lakes. Take a board of conservators like the Kent Board, we might have, in our bye-laws, powers as to dealing with pike especially, and, at the same time, leave perch an open question.

1016. In districts where it is almost impossible to contemplate the creation of conservancy boards, have you considered how the difficulty might be got over?—It is a very difficult matter. Do you mean as to how they are to be protected?

1017. As to how you are to make exemptions with regard to the close time, which, I understand you to think, could not fairly apply in every particular district to all kinds of freshwater fish?—Take, for instance the case where you have pike and the other coarse fish, I should most certainly advise a close time for pike, as well as the other fish; they are equally valuable with the other coarse fish.

1018. With reference especially to the Lake district, you would not like to see a law passed to say that certain months in that year should be a close season for fish of all kinds, without giving some authority within your district the power to make exemptions, so that certain fish might be destroyed in fact as vermin?—I think it may be desirable with regard to pike. If we had conservancy boards it might be desirable to give them powers to deal specially with the question of pike, simply because we have in our district very valuable fish of which pike are supposed to be more or less destructive.

1019. You have no doubt looked at the recommendations which Mr. Buckland and Mr. Walpole have made, and in the main I understand, from a letter of yours which I have seen sending up your amendments to the Home Office, you agree with them, but you suggest certain amendments to the existing Bill, as to which I will not more particularly ask you, because other gentlemen are much more familiar with it?—Yes.

*Mr. Stafford Howard.*

1020. You have, I suppose, read this Bill which we are considering?—Yes.

1021. The object of Section 5, as I understand it, is to extend the provisions of the Salmon Acts, which relate to char and trout in any district under a fishery board, to all waters frequented by trout and char, which are not at present under fishery boards; do you not understand the clause in that way?—Yes, I understand it to mean that the Salmon Fishery Acts shall be applicable to trout and char in all waters, whether they are in the grasp of the Salmon Fishery Board or not.

1022. It is now, I believe, universally illegal over England and Wales, to sell any trout or char during the season between the 2nd October and the 1st February?—Yes.

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1023. If

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1023. If this clause is passed, it will make it illegal also to take trout or char during that close season, not only in any fishery district, but all over England and Wales?—Yes.

1024. And it will make it illegal to fish for trout and char with lights and other instruments? Yes.

1025. And it is also illegal to use trout-roë or char-roë as bait for fish?—Yes.

1026. The result of that would be that angling would be altogether prohibited?—Yes, during that close season.

1027. From the 2nd October to the 1st February angling would be totally prohibited?—Well, I think it should be.

1028. You do not think that would meet with much objection?—No; angling for those fish during the close time I think should be prohibited. In the case of char, that is of no value, because that cannot be caught by rod at that time of the year; trout, of course, is another matter. I think trout also ought not to be caught with rod or line, because it is during the close time when they are mostly destroyed.

1029. You think nobody would be much opposed to the prohibition of angling during that season?—I do not think so.

1030. Do you agree with Mr. Walpole and Mr. Buckland in thinking it desirable that fishery boards should be formed in the various portions of the Lake district?—I am sure it would be desirable. It would be of great value to the Lake district to have fishery boards.

1031. Do you think this Bill, if passed, would be of any value if those fishery boards were not formed?—The fishery boards could be formed under the Salmon Acts.

1032. Suppose the proprietors did not form fishery boards, do you think they would carry out the Act?—That is a very difficult question. The fishery board is of course an institution which has powers and an object directly in carrying out Fishery Acts. If you leave it to voluntary effort, the carrying out of the Act is not so certain. No doubt giving the powers such as are proposed would be of great advantage to the fisheries of our Lake district, even if there were no boards to work it out.

1033. Of course it is to the interest of every individual proprietor to preserve his fish by carrying out the Act?—I should think so.

1034. Therefore you think, although fishery boards might not be formed in every district, the Act would be of great service?—I think it would be. I think, however, it would be desirable to form boards, but that is my private opinion.

1035. You prefer to have a general Act of this sort than to have a special Act like the Norfolk and Suffolk Act?—I think as legislation with reference to freshwater fish is contemplated, it would be very well in any Act that may be passed to have powers that would apply to our district, and so apply uniformly to the whole freshwater fish of the country.

1036. You think it would be better to have fishery boards in different river districts, instead of having one large board for the two counties, and a part of Lancashire?—I was labouring under the difficulty that I have always understood to exist in making that suggestion, that there was an objection to fishery boards in parts of Cumberland and Westmoreland. The suggestion I made at Bowness, in giving evidence before the fishery in-

Mr. Stafford Howard—continued.

spectors, was to the effect that there should be a special board for the Lake district, and that the board should be so constituted that there could be no reasonable objection to the formation of such a board. At the same time I think the machinery of the Salmon Fishery Board would probably be better.

1037. You have that board?—Yes, in a portion of the Lake district.

1038. Which comes up into Windermere?—Windermere, Grasmere, and Rydal, and the watershed of the streams coming down into Morecambe Bay.

1039. How do you pay expenses?—By a system of license duties; the system of license duties in general operation under the Salmon Acts.

1040. Nobody can fish in any of these lakes without a license?—Not for salmon.

1041. It only applies to salmon?—That is all; not to trout and char.

1042. How would you support a fishery board in a district where there were no salmon?—That would raise a new question as to licensing implements used for taking fish within a district, which are not salmon. For instance, take the nets used in any of the lakes for catching trout and char, which are the only fish really netted. Those nets might be licensed in the same way as salmon nets, and upon the same principle that they have been taxed, and the proceeds of that tax would go to the preservation of the district; it really is a great gain in the end to the proprietors and those who use the nets.

1043. That would be a voluntary tax by the proprietors upon their own nets?—It would be the same in the salmon fishery districts, the principle being the same; the salmon fisheries are, in many instances, as much private fisheries as the fisheries of the Lake district, and no one can fish in a salmon fishery district for salmon without having a license. With reference to the question of licenses in a district like the Lake district, I should be an advocate for powers similar to those under the 4th sub-section of Section 34 of the Salmon Fishery Act of 1865; that is to say, the power as to general licenses, so that any proprietor could take a general license extending to himself and his friends and guests, where they are not using their rods or nets for the purposes of sale. Without some fund, I do not see how it is easy to carry out any Act of Parliament.

Chairman.

1044. That you think could be carried out as to trout and char, in the Lake district?—I myself can see no reason why it should not be.

1045. I suppose a very small license fee for the fishing would produce a considerable revenue?—No doubt in portions of the Lake district a very considerable revenue; I do not see why a license should not be applied to rods and implements used for the capture of trout and char; if the fisheries of the Lake district were improved, an immense number of people would take licenses to the extent of 5 s. or 10 s., and it would raise a very considerable fund for the purpose of preservation.

Mr. Stafford Howard.

1046. You mean to tourists?—Yes.

1047. Do not you think it would be rather hard

Mr. Stafford Howard—continued.

hard to place this tax upon the poor people of the locality?—It would not be harder than the operation of the Salmon Fisheries Act; no one can angle under the Salmon Fisheries Act for salmon without taking a license.

1048. Are not many people in the habit of fishing for salmon there?—Yes, a great many people in our district take out licenses, who are comparatively poor people, and the license is 10 s.

1049. You do not seem to care much about exempting perch; you do not consider that they do much harm?—I am not aware of any harm the perch do. Perch are the principal food of the pike.

1050. There are some lakes in which pike are are destroyed as vermin?—Pike, to a certain extent, of course, are distinctive of all fish. In Windermere no special steps are taken to keep down pike, and pike are not very numerous.

1051. It would be necessary, in order to get an exemption of pike from being protected by close time, for a district to form itself into a fishing board?—It would be, as it is put.

1052. Do you think there might be a special clause put in the Act to enable proprietors of certain districts to obtain that exemption, without forming themselves into fishery boards?—If that were made applicable purely to the Lake district, possibly it would be so, but if this Act is applied to all England, there would be some difficulty in that.

1053. Your chief object now is to have the mesh of the net limited?—Yes, I should prefer a larger net than an inch. One inch is a mesh which seems to be more acceptable than a larger net to the proprietary, and, therefore, those who have acted with me have been disposed to give way and talked of an inch mesh as a minimum size; but I am inclined to think it would be a gain if the mesh were as it was in the Solway Act, practically an inch and a quarter. This suggested clause has followed the description of the Solway Act exactly. It is not a very perfect description. I should be disposed to say an inch and a quarter, from knot to knot. It would catch a trout of about a quarter of a pound.

1054. If net of less mesh than one inch were altogether prohibited, and the different regulations under the Salmon Acts were extended to waters which are frequented by trout and char, but which at present are not under any fishery board, and if power is given of forming a fishery where the proprietors think it desirable, that is all you think can be desired for the preservation of the fish in the Lake district?—I think it would accomplish a great deal.

1055. You agree substantially with Mr. Walpole's evidence?—Yes.

Mr. William Lowther.

1056. When do non-migratory fish spawn in the lakes of Westmoreland and Cumberland?—The trout begin to spawn soon after October, and the great bulk of them, I should say, spawn before the early part of December.

1057. I mean other fish; coarse fish?—The coarse fish spawn about April and May.

1058. Are not bleak, minnows, and roach used as bait in spinning for trout?—Minnows are used; bleak and roach are very rare in the Lake districts; bleak we scarcely have there.

1059. Minnows are used?—Yes.

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Mr. William Lowther—continued.

Mr. J. Fell.

1060. Therefore, according to this Bill you would not be able to take minnows to fish with; that is Sub-section 3 of Section 6; it would prevent taking them to fish with?—Yes, that would clearly be a mistake, because the minnow is a fish which does not grow beyond a certain size, and is only used for bait, and is of no value for any other purpose.

1061. Do you know a private water, which is a lake with rivers running into and out of it. There is such a private water in the North, Hawes Water, is there not?—Yes, I know it well.

1062. A river runs into and out of it?—Yes.

1063. Have you ever considered the question of that as a private water in which fish should not be taken?—That the proprietor, in fact, should have the sole right of using that fishery as he pleases?

1064. Yes?—Well, I should be disposed to say no.

1065. You would forbid him taking the fish out of that water?—I think it would be right to take the fish as he does his game, at certain seasonable times.

1066. He being the only person who could fish there, you would forbid him taking the fish out?—Yes; he has the same difficulty with his game. He cannot shoot his pheasants, except at a particular time of the year, and there is no hardship in that. Mr. Walpole is suggesting to me, with regard to the tributaries, no doubt the proprietor, so far as migratory fish are concerned, unless he has abundant strength to preserve the upper waters, has his fish destroyed *ad libitum*.

1067. We have known instances of tarns being drained; this Bill would prevent you draining a tarn, would it not; you might want to drain a tarn between March and June?—Yes, any proprietor ought to be entitled to drain his tarn.

1068. Therefore, you think there ought to be a clause to save that?—Yes.

Mr. Stafford Howard.

1069. Does not Hawes Water supply a stream that runs down below it?—Yes; there are a number of tarns which are exactly in the same position as Hawes Water; that is, that have streams running in and out.

Mr. Mundella.

1070. A tarn, as I understand it, is a lake formed in a natural basin that has no outlet?—Oh, yes, it has an outlet; it is simply a smaller lake into which the water runs, and from which it runs out again.

Mr. William Lowther.

1071. Do you know Tarn Woodlyn in Cumberland?—No. There may be a tarn where there is no overflow; but I do not know any. The rule is, that tarns are simply places into which water flows in and out.

1072. You would be in favour of levying a license on all rods, would you?—I should not be in favour of levying licenses on rods for perch fishing, which is a great source of amusement to children and people who sit in boats and fish.

1073. Tourists indulge in perch fishing, do they not?—Yes, I am speaking of the Lake district at present.

1074. I see there are certain recommendations which you have made in your report; were those recommendations



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recommendations made by yourself, or at the instance of people connected with the Lakes, and is the result of any meetings, or anything of that kind?—It is a subject which has been discussed for many years at the Kent Board. The recommendations which are made in that report are partly my own recommendations, but generally they indicate the feelings of the Kent Board on the subject.

1075. You think those would generally be approved of in the neighbourhood. You are speaking almost entirely of Windermere, I believe?—Yes; in fact I know Windermere better than other parts of the Lake country, and I am speaking more specially of that and Coniston and the Lakes, which I know better.

1076. You think this expresses the feelings of the people generally about Windermere?—I am inclined to think it does very much indeed.

1077. If pike and perch are protected, do not you think they would do very much harm to the trout and char that they might meet with?—I should like to separate the two. Perch is a very different thing to pike. Perch practically do no harm. They may eat an odd young trout or char, but the perch is not an active fish. There is very little to be said as to his destructiveness. I know as a matter of fact that trout feed upon perch, because I have caught trout with perch bait when I have been fishing for pike, therefore the trout will take the perch. The pike is another matter altogether, and I think if there were conservancy boards, or whatever authorities might be constituted, to carry out the Act of Parliament, if power was given in any district, take for instance, the English Lake district, to vary the regulations as to pike, where you have much more valuable fish, in that way the pike could be exceptionally dealt with, and I think that might be very useful.

1078. How would you exceptionally deal with them?—You might have no close time, or you might have your close time and modes of destruction of pike quite different.

1079. You would have no close time for pike? In the Lake district, or you might have power to vary that time.

1080. Do you think the Lake district requires separate legislation?—No.

1081. Norfolk and Suffolk has an Act of its own, has it not?—I am aware of that.

1082. You do not think that in Cumberland and Westmoreland it would be necessary to have separate legislation?—No.

1083. Yet you say you think it would be a good thing if pike could be separated?—Yes, pike, no doubt, do destroy more or less the valuable fish, and in the English Lake district, of course, there are more valuable fish than probably in any other part of England; therefore the question of pike might be to a certain extent treated exceptionally in that district, but otherwise I think in every other point such an Act would be advantageous. If that power as to the destruction of pike were entrusted to boards, it might or might not be required. My opinion is that it would not be required.

1084. Then you must have boards?—Not necessarily.

1085. Do you think they are in favour of boards in the north?—No, I believe they are not.

Mr. William Lowther—continued.

1086. If you have not boards, what then?—The law must be carried out in the best way in which the locality or the proprietor can carry it out.

1087. Are pike very numerous in Windermere?—I have known Windermere for a great many years, and have fished there for a great many years. I do not notice any change. Sometimes they increase a little, and sometimes they seem to decrease. There is no special mode of capturing pike, and there is no special netting, in fact. I think they are very careless about them.

1088. Have fish diminished very much in Windermere during the last 10 years?—They increased after the Salmon Fisheries Act of 1873; the char increased considerably; it was a most marvellous thing, in fact, the interest taken in this matter has arisen from the desire to add to that legislation in such a way as to prevent the wholesale destruction of char which goes on now. They fish with a net which would catch a minnow, and it is no exaggeration to say that I have seen hundreds and thousands of small fish the size of minnows, char, and other fish, brought to the surface by these nets and simply wasted.

1089. You are in favour of an inch and a quarter mesh?—That, I think, would allow sizeable fish only to be taken.

Mr. Dillwyn.

1090. I suppose, practically speaking, trout are worth nothing between October and February?—They are not.

1091. They are white, flabby, and good for nothing?—Yes; nor are char; they are both out of condition.

Mr. Mundella.

1092. There was an inquiry held in your district recently, was there not, by the Fisheries Inspectors?—Yes.

1093. You have seen the report which has been published?—Yes.

1094. Do you concur, on the whole, in the recommendations of that report?—Yes, I should like to explain that in these draft amendments, which were the suggestions of the committee of which I am a member, the 15th of February was suggested as a close time. The Commissioners suggested the 28th of February, which would undoubtedly be the better time, but we were afraid of interfering with the close time of trout in other districts where trout are earlier; therefore we suggested the modification of the 15th of February so as to meet the difficulties which might arise from such a long close time in other districts under a general Freshwater Fisheries Act.

1095. If this Act is passed, it would bring your lakes and streams where there are trout and char under the Salmon Fisheries Act, and consequently would give you a close season for trout and char?—There is a close season for trout and char where you have the salmon fishery district at present under the Salmon Fisheries Act of 1873, but as it is only a close time there are no other regulations.

1096. Is yours a salmon fishery district?—I am speaking of the salmon fishery district in a portion of the Lake district; only a very small portion.

1097. If this Bill were passed into an Act it would include the whole of the Lake district?—

Yes;

Mr. Mundella—continued.

Yes; there is no legislation applicable to freshwater fish of that district of which I am aware, except the Solway Act. If we had legislation it would give some additional powers, which would be most valuable in the Lake district, whether we had boards or not.

1098. You were asked as to the destruction of pike; whether pike prey upon trout and char; there is no doubt they do?—They do.

1099. And it would be needful for boards of conservators to have the power of destroying pike when they become too abundant, in cases where trout and char exist?—It might be so.

1100. There is a suggestion made in the report as to your own district, "This dilemma may, we suggest, be met by the institution of a close season for pike and perch; but by enabling any board of conservators, formed under the Fishery Acts, with the approval of the Secretary of State, to exempt their district, or any portion of their district, from the operation of this close season." That would meet your case, would it not?—Quite.

1101. Mr. Walpole has been examined before this Committee; he was asked whether he would give any power with regard to the exemption of particular fish in the Bill, supposing that, in certain private waters, they wanted to kill pike, and he replied, "I would not allow them to define any close season except the general power which I would give to the boards of conservators where there were salmon districts," yours would be a salmon district, "to exempt their districts, or any of their districts, from the operation of the Act." That would meet your case?—Entirely.

1102. Do I understand you to say that the recommendations of the fishery inspectors would meet with the general approval of the people in your district?—I think so.

1103. You are aware that a close season is recommended for pike and perch by the fishery inspectors?—Yes.

1104. And also against rod-and-line a close season from 1st March to the 31st May?—Yes, pike and perch; perch especially form a fund of amusement for thousands of people in our district; it is no exaggeration to say thousands.

1105. With that power of destruction where they became too abundant you would wish to maintain this close season for pike and perch against rod-and-line?—Between the 1st March and the 31st May. It would make no difference whatever. There would be no loss at all in our district; people would accept it perfectly.

1106. And you think cheerfully?—Yes, for both pike and perch.

1107. And you think the law would be properly carried out?—Wherever we have a board we should try to carry it out.

1108. Anglers themselves would carry it out against anybody infringing the Act?—No doubt they would as far as they were able.

1109. I think Mr. Buckland joined in this recommendation of a close time for pike and perch, did he not?—I do not know.

1110. Is it not signed by him?—Yes, I believe so.

1111. That is in accordance with the general wishes of the people in your district?—I think so; I think all that would be accepted.

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Sir Andrew Lush.

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1112. You have been asked once or twice about the difficulty of carrying out this law. Although you think there may be some difficulty, you think a law should be passed which would be applicable to your district as well as others?—I think so; we have none at present.

1113. You think it is desirable to have a law which anybody might put into force?—I think so.

1114. You think the law should be made to apply to all these places?—I should certainly advocate a law being made for the protection of freshwater fish such as is proposed.

1115. Even although you could not in every instance apply it properly?—If you had a law, the probabilities are that in time means of applying it would arise. Acts of Parliament are sometimes amended, and there might be an amended means of dealing with it where deficiencies were found in the working of it.

1116. It might be applied?—Yes.

1117. It would be your own fault if you did not apply it?—Yes.

1118. In reference to private waters in a close season, you think the close season should be observed in private waters as well as in others?—I think so; I do not see any greater hardship in having your fish with a close time than having your game.

1119. Do not you think it would do good to the owners of private waters to have a close season?—Certainly; they would have more fish.

1120. There would be more fish for the owner and for everybody else?—Yes.

1121. You said that, since the passing of the Salmon Act in 1873, fish have increased very much?—They increased enormously in the first two years after that Act, but the nets are of such a destructive character that all the protection we have been able to afford them is swept away simply by the destructive use of nets; but even with that and with all the destructive engines, there has been a great gain by the close time given to char, a very great gain indeed.

1122. According to your experience, which I see is considerable, the law could be made very useful if applied?—I think so.

1123. You say the wholesale destruction is very great?—Yes; all these lakes are more or less the property of persons, and the netting is always a private right, but there are no regulations applicable to the netting. The proprietors in my district have never been able to agree among themselves as to a mesh of nets; if one has agreed to it others have disagreed, and it ended in a proposition which was made to adopt legislation for our district. When this Bill came before us we thought it was better to try to fall in with the general Bill than to advocate special legislation.

1124. Your opinion as an experienced gentleman is, that the present state of things is really a wasteful destruction of a useful article of food?—Yes.

1125. Not only is it wasteful as a matter of food, but it helps to take away from the sport that men might get?—Yes.

1126. Therefore you think that our present system is socially and politically a blunder?—I do not know about politically.

G

1127. Do



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1127. Do I understand you to advocate this principle, that the owner of a private water is not to be allowed to kill his fish when he pleases?—Yes.

1128. Take an extreme case: a person has a pond in his garden. What harm does he do to anybody except himself, if he likes to clear out every fish in that pond?—I am aware of that position; I admit it is a difficulty.

1129. I want you to reconcile that with your wholesale sweeping answer, that every owner should be debarred from the right of fishing in his own private stream for three months in the year?—I think it is hardly fair to put that position as against a lake several miles in length.

1130. I will take the case of private waters; take a pond, you may call it a lake or a broad; it is inclosed, and no other persons communicate. What earthly harm does it do to anybody if the owner kills every fish?—Perhaps he does not do much public injury.

1131. In your answer you implied that you looked upon the fish in the same way as upon the game?—To a certain extent.

1132. Does it appear to you that if there is a grouse or a pheasant or a partridge on your field to-day it may be on your neighbour's field to-morrow, and you have not that exclusive right over game which you have over fish?—I am aware of that.

1133. I do not see why you put fish on the same footing as game?—The difficulty I have in answering your question I will tell you frankly. Take a pond such as you spoke of; no doubt any proprietor may cut a trench up into the pond and run all the water off and destroy all the fish; but the case of a pond which may be an acre or a few acres, inclosed entirely in private grounds, which no one has access to, I do not think is at all analogous to the case of a considerable lake or any waters to which ordinary access is gained.

1134. The question does not turn on the extent of the water, but the description and the communication of the water. Suppose it is 50 acres, and it is isolated, and there is no riparian owner, except one; on what pretence would you justify excluding him and his friends from going there whenever he pleases?—Taking all the fish out and putting some other in.

1135. If you please; what is there to prevent him taking every fish out?—I admit there is some difficulty in that.

1136. Is not there an insuperable difficulty on principle?—No doubt there is some difficulty in it; I should dislike it myself; I am fond of fishing.

Mr. Stafford Howard.

1137. Do you draw a distinction between a pond which has no communication with other persons' waters, and a lake like Hawes Water, which supplies the River Lowther which runs into the Eamont and then into the Eden; therefore the fish bred at Hawes Water supply the river down below?—Yes; I understand Mr. Rodwell's question to apply rather to this: take the case of a man having in his park or ground—

Mr. Rodwell.

1138. Take a Norfolk broad?—I do not know them sufficiently.

1139. Take 100 acres of water the property of one landlord?—As far as my opinion goes, I should unhesitatingly say that he ought not to

Mr. Rodwell—continued.

destroy the fish which exist in that water when they are out of season.

1140. Why not?—He may have a perfect right to do so.

1141. Why should he not do it? Can you give me any reason?—I admit you put a very difficult position; but at the same time it is difficult for me to answer it.

1142. I am only giving you an illustration on principle?—I am quite aware of the whole bearing of the question, and it is very difficult for me to answer it.

1143. I should like to have an answer, because you are called here for a particular purpose, and it is only by the answers of the witnesses that we can be guided?—The answer as to the question of rights of that sort is very difficult to give. If you wish to have my answer, I should unhesitatingly say that if a man is destroying fish within even a hundred acres, as you suggest, he is not justified in so doing, if it is an improper time.

1144. If a nobleman or gentleman had deer in his park, and he chose to kill all his deer and substitute sheep, would he be liable?—I do not think he kills them when they are out of season.

1145. It is not a question of season, it is a question of destruction?—He has a right to put down every head of deer, and to put sheep or cattle instead.

1146. Why should he not have as much right to get rid of his fish as his deer?—I am perfectly ready to admit that you put me in great difficulty as to giving a reply, but at the same time I unhesitatingly give my opinion.

Mr. Mundella.

1147. Do gentlemen, as a rule, destroy either their game or their deer, or anything out of season?—Well, I should not.

1148. Have you ever known a case of a gentleman destroying either game or deer, or anything out of season?—It is not within my experience.

1149. You do not think it is within general probability that they would do such a thing?—No.

1150. I suppose it is admitted that gentlemen have the right to destroy game or fish or anything else out of season?—I admit that everything that is within such a water as the water of which Mr. Rodwell speaks, belongs to the proprietor absolutely.

1151. Admitting the proprietor's right of destroying everything within that water at any time he pleases, is that any reason why ponds which are not strictly limited as ponds and as waters of this kind are, should not be protected and preserved?—I should say not.

1152. You refer, I presume, to waters that have no outlet, and no communication with other waters, when you speak of proprietary rights?—No; in the Lake district there are large areas of water; for instance, Hawes Water; everything within it is absolutely the property of Lord Lonsdale.

1153. Do not the fish go up there to spawn?—They do; they may go out of the control of Lord Lonsdale, and therefore it would be a great advantage to have the power to check the destruction of them even there.

1154. Then it is in the interest of the proprietor that there should be protection above and below?—

Mr. Mundella—continued.

below?—I think it is in the interests of the proprietor.

1155. And it is in the interest of the public that we should have as much food as we can get?—I am quite sure of that.

Chairman.

1156. The rights of an owner in all such water are limited by considerations as to how far the interests of the public are affected by the exercise of what might seem to be his absolute right?—Yes.

1157. You would draw the line with reference to private waters, as far as you could, as to whether there was a communication with water which were public, and in which it was desirable that it should be preserved?—Yes.

1158. It may not be very easy to lay down the principle, but that is what you mean?—Yes.

1159. With regard to this Bill, looking generally to the view of preserving fish in the Lake districts, do you think that this Bill, as at present drawn, is satisfactory to the Lake districts?—I think it would answer all our purposes very well if we had the power to regulate the mesh of net and the close time.

1160. With regard to the mesh of the net, you would like to add that?—It is the essence of the measure to us.

1161. That is Clause 6 C.?—Yes; I should suggest the description of the net to be from knot to knot  $1\frac{1}{2}$  inch; I followed exactly the description of the Solway Act, which is the only Act which defines such a net.

Mr. Isaac.

1162. You draw a distinction between the two waters which the honourable Member for Cambridgeshire asked you about; a pond in a gentleman's grounds of small extent, where he would have every right to deal with it as he liked, and the larger private waters of a gentleman such as you describe of 100 acres or more in extent; the one you think should not be dealt with by the Act of Parliament, and the other should?—It is a most difficult matter to deal with, and very little injury would be done to the proprietor by this Bill, because it simply prevents him destroying fish when out of season. The proprietor practically is not injured. The question of proprietary rights is a most difficult question to touch upon.

1163. The general public probably would be injured if fish were destroyed which they were in the habit of catching in these particular waters?—I do not quite apprehend your question; no one can fish in private waters without the leave of the owner.

1164. Not on large lakes?—No; on some of the lakes people have immemorially been used to fish with rod-and-line. The netting is absolutely in the hands of private persons, and many of the lakes, for instance, that of which we have been speaking, is absolutely the property of Lord Lonsdale. Several other lakes are the absolute private property of Lord Leconfield, Major Sandys, and other persons.

1165. In that case, if the proprietor chose, he could prohibit anybody from fishing?—So he does. At the same time I think he would gain greatly by the powers of some Act of Parliament which would protect his fish.

Mr. J. Fell.

31 May  
1878.

*Tuesday, 4th June 1878.*

MEMBERS PRESENT:

Mr. Arthur Bass.  
Mr. Bristowe.  
Sir Robert Buxton.  
Mr. Dillwyn.  
Mr. Dodds.  
Mr. Stafford Howard.  
Mr. Isaac.

Mr. William Lowther.  
Sir Andrew Lusk.  
Mr. Mundella.  
Sir Matthew Ridley.  
Mr. Rodwell.  
Mr. W. S. Stanhope.

SIR MATTHEW WHITE RIDLEY, BART., IN THE CHAIR.

Mr. RICHARD SAVAGE, called in; and Examined.

Mr. *Savage.*

4 June 1878.

*Chairman.*

1166. You live at Nottingham?—I do.  
1167. What are you, may I ask?—A licensed victualler.

1168. You take a great interest in the fishing in the neighbourhood?—Very much so.

1169. And are you here to give your opinions and the result of your own experience to the Committee, or are you here also in any representative sense, as representing any angling clubs, or any society of that kind, in Nottingham?—I represent myself generally, but I have a vast number of friends who are anglers, who wish me to state what I am about to state to you. I have a letter in my pocket, written to me yesterday, which is from the "Green Man," William-street, Nottingham; that is the sign of the house at which the club is held: "To Mr. R. Savage,—Sir,—In your evidence before the Committee on the close time for freshwater fish, and its preservation, will you say that the club, 38 in number, of which I am secretary, and many other fishermen to whom I have spoken, are most anxious to make known to the Committee their approval of the Bill. Yours most respectfully, *S. B. Haslard.*"—This is only one of some 52 clubs which we have in Nottingham.

1170. As far as you know, all the 52 clubs are in favour of this Bill?—Yes, they are.

1171. Have you heard any opinions to the contrary?—Some few, but very slightly.

1172. Are they unanimous in favour of there being some close season?—The general opinion is in favour of a close season.

1173. I believe that the Trent is the principal river in your neighbourhood, is it not?—It is.

1174. And what fish generally are there?—All kinds of coarse fish; barbel, roach, dace, bream, perch, pike, eels, salmon, and burbot.

1175. You do not call salmon a coarse fish?—No; but the Trent contains salmon; we do not reckon it a trout stream; there are trouts in it, but very few indeed, and scarcely any char.

1176. There is no Salmon Conservancy Board, is there?—Yes, there is at Derby.

1177. But does their jurisdiction extend over the river by Nottingham?—Yes.

*Chairman—continued.*

1178. Over the whole of the Trent?—Yes, the Trent Fishery Board.

1179. Do you happen to be aware of what are the views with regard to this Bill of the Trent Fishery Board?—They are strongly in favour of a close time.

1180. In favour of some close time for all these fish, as it is laid down generally in the Bill of the honourable Member for Sheffield?—Yes.

1181. Let me ask you first, then, do you agree with the proposed time of the close season, that is to say, in the Bill. I think it is from the 1st of March. I believe you, in common with many other anglers, are rather in favour of beginning the close season on the 15th of March?—That is my firm opinion.

1182. Is that the opinion of your neighbourhood?—Yes, that the period between the 15th day of March and the 15th day of June, both inclusive, shall be a close season for freshwater fish.

1183. And therefore you also agree with the opinions which have been expressed to this Committee, that it would not be practicable to attempt to make a different close season for the various kinds of freshwater fish?—Decidedly it would not.

1184. Though it might be advantageous to alter the period for some fish, still on the whole the close season that you have described adequately meets the circumstances of the case, you think?—Yes, I do not doubt that.

1185. It has been urged upon us that the close season ought to begin much earlier for the pike; is that of sufficient importance in the Trent to make you desire that alteration?—You cannot obtain pike fishing unless you obtain permission from the proprietors of the fisheries, and they will not allow pike fishing after certain dates.

1186. Practically there is a close time there?—Yes, they make it there. Some gentlemen close their pike fishing on the 31st of December, and some on the 31st January; they will not allow pike fishing after that.

1187. Is there no pike fishing in waters which are public?—More in private waters.

1188. Is

*Chairman*—continued.

1188. Is most of the Trent within reach of Nottingham, where most of you go to fish generally, public water, or held by different proprietors?—By proprietors.

1189. Do those proprietors generally, or to any extent, lease those waters to angling clubs in Nottingham?—Yes, some do.

1190. Then, do I understand you to mean that there is no large extent of absolutely open water?—Very little open water, free water.

1191. Then there is no great space of water in the neighbourhood of Nottingham where any person can go and fish with rod and line, unless he belongs to an angling club, and practically is one of the persons who rent the water?—Just so.

1192. Do you agree then with those witnesses who have told us that in their opinion there should be a close time for the rod and line as well as for the nets?—I think nets ought to be abolished during the close season.

1193. And you would prohibit also the sale of fish during that season?—Yes, I am strongly of that opinion.

1194. But what do you say about preventing all angling during that close season of any kind whatever?—I think it should be dispensed with totally, except for trout, char, and eels. I wish to state that I think it would be advisable to insert the word "eels" in that section.

1195. You do not regard the eel as a migratory fish?—One species do not migrate.

1196. Then do you propose to give them the same close season as to trout and char?—Exactly the same; to have the fishing for the same period as you have for trout and char; that will be during the close season for freshwater fish.

1197. Would that make it more difficult to enforce a close season against anglers?—Decidedly not. I think the greatest amateur in the world understands an eel from any other fish.

1198. No doubt; but generally let me ask, do you think are there many people in Nottingham who like a day's fishing, and fish regularly, who do not belong to the angling clubs?—Certainly, there are.

1199. Have you any knowledge how they would regard such a Bill as this?—They are strongly in favour of this Bill I can assure you.

1200. That is to say, you think that the population of Nottingham generally would assist in the carrying out of the close season against rod and line for freshwater fish?—They will.

1201. Without such assistance you are aware that this Bill would be an excessively difficult one to work?—It would indeed.

1202. But in your opinion the angling population of Nottingham, not only those who belong to angling clubs, but the labouring population generally, would assist in the carrying out of the Act?—They would indeed.

1203. They would in fact be their own water bailiffs, so to speak?—Yes.

1204. And in the neighbourhood of Nottingham, therefore there would be no difficulty in enforcing the law you think?—None whatever.

1205. Is there any great sale for coarse fish in Nottingham, or is it mainly for the purposes of sport that angling takes place?—There is a great sale for it. I am only sorry to say that they bring in large quantities taken by nets just during the breeding season.

1206. Within your experience has there been

*Chairman*—continued.

any diminution in the amount of fish in the Trent?—Considerably within the last 20 years.

1207. And have the fish also decreased in size and in weight?—Yes, most materially; particularly barbel, chub and perch, and grayling, I am only sorry to say are almost extinct.

1208. Then I gather generally from your evidence that you do not think that the mere prohibition of sale and the prohibition of netting during the close season you have spoken of would be sufficient?—Decidedly not.

1209. In your opinion, a great deal of mischief can be done, and is done, by fishing with rod and line during the close season?—Just so.

1210. And you think that, in your neighbourhood at all events, the proposed law could be carried out?—It could.

1211. What do you say to any further provision, such, for instance, as limiting the size of the mesh of the net during the whole year?—It is very desirable.

1212. Would you go so far as to say that it was necessary in the Bill?—I would.

1213. But supposing that such a measure as that endangered the passing of the Bill, would you attach such importance to it as to say that for its sake the Bill should be given up?—No, I think it had better not be given up.

1214. You think that the simple prohibition during the close season of which you have spoken, even if you could not get several other things which you would like to see, would be of use in the Trent?—It would.

1215. You probably would give the same opinion were I to ask you whether you thought a clause should be introduced to prevent the taking of fish below a certain size?—I think it would be a most judicious clause.

1216. You probably, having taken an interest in angling, know something about the rules of the Thames Angling Preservation Society?—Yes.

1217. And you know that they enforce regulations against the taking of fish below a certain size?—I think it is most desirable.

1218. Has that been discussed at all in Nottingham among your societies and clubs?—Yes; some of the clubs practice that system already.

1219. I do not understand you to come here to make those suggestions; you think that this Bill is practically sufficient for your purposes?—Yes.

1220. But you would like to see these other things introduced were it thought practicable so to do?—Yes.

*Mr. Isaac.*

1221. You are considered in Nottingham as a representative man among the fishing clubs there, are you not?—I am.

1222. And you gave evidence before the Commissioners, did you not, when they came to Nottingham?—I did.

1223. How long have you been devoted to fishing?—About 33 years.

1224. If I understand you rightly you have consulted many of the fishing clubs down there since I sent down the Bill to be distributed amongst them?—I have.

1225. And they are of the same opinion as yourself with regard to the close time being from the 15th of March to the 15th of June?—Exactly so.

1226. Did

*Mr. Savage.*

4 June 1878.

Mr. Savage.

4 June 1878.

Mr. Isaac—continued.

1226. Did I understand you rightly to say that you were in favour of a close time for angling as well as for netting during that period?—I did.

1227. You think it would be greatly to the advantage of the sportsmen themselves?—It would really.

1228. As well as to that of owners of fisheries?—It would.

1229. Have you any idea how many of the Nottingham men fish during the year in the River Trent, in round numbers?—I believe, in the association, we have something like 1,900.

1230. That is in the association alone; and, I suppose, about the same number might be calculated upon who would fish with private leave, who do not belong to any club?—Yes.

1231. Do any of the angling societies there close their own waters against fishermen who do not belong to their clubs?—Some of them do.

1232. Are there many of them that have the power of doing that?—Yes. Some waters are leased and you are allowed to fish with a season ticket; the price varies from 10 s. to 2 l. 2 s. the season.

1233. And are those tickets sold to others than the members of the club?—Yes, to any one.

1234. You say that some of the Trent eels are now migratory fish; are there any quantity of them?—Not so many as there were.

1235. Not sufficient to warrant your suggestion being carried out to insert the word "eels" here?—Yes, quite sufficient for that; the non-migratory eel is the yellow bellied eel, or those which inhabit stony embankments; they imbed themselves in the silt, in the mud, during the winter months; those that we term the smelt eels are those which migrate.

1236. Are the non-migratory eels found in any other waters besides the Trent?—Yes, in all the Lincolnshire drains, and the Witham, and many others, and in the tributaries of the River Trent.

1237. Do you think that if Parliament passed a Bill, such as the one we have before us, the fishermen of Nottingham would assist in carrying out the clauses of the Bill?—I have not the slightest idea but what they would.

1238. You have no water-bailiff down there, have you?—None.

1239. And the Trent Fishery Board do not provide any?—No, they do not, to my knowledge.

1240. Have you had any prosecutions there under the Dynamite Fisheries Bill that was carried last year?—Yes, about three months ago we had one.

1241. Was that caused through information given by the fishermen or by the police?—The information was given by the fishermen.

1242. And they have so much interest in it that you think that if this Bill were passed they would assist in carrying out the clauses of the Bill?—I am certain that they would.

1243. Supposing that the Committee were to introduce another clause with regard to the size of the mesh, or the size of the fish, what sized mesh would you say should be the smallest that should be used?—For what kind of fishing do you mean?

1244. For your fishery in the Trent?—Do you mean salmon?

1245. No, salmon is provided for already?—

Mr. Isaac—continued.

There is this little difficulty about that, that we want a quantity of pike baits during the winter months, and for that, the mesh must be a small one. In reality I do not see how you could interfere with that, not judiciously.

1246. Take the ordinary fishing in the Trent for the coarse fish, what sized net would you suggest should be used so as to prevent their taking the small fish of which we hear so much?—One inch, nothing less; but that would not be sufficiently small for the taking of pike baits. One inch for the others, I think, would be quite small enough; I mean from knot to knot.

1247. Would not that be a very small fish?—It would take a four ounce fish, or something like that.

1248. If you were to take the size of a fish not by weight, but by measurement, what size would you say that those freshwater fish should be taken at?—Are you alluding to roach?

1249. Roach and dace?—They vary in size; the roach run much larger than what dace do; a roach will grow to 2½ lbs., and a dace at 8 oz. is a very large one, although I have seen them a pound weight; but those are great exceptions; in fact, I never saw but two of that weight in my life, so that the question is somewhat complicated.

1250. Is there any other point you could give the Committee information on with regard to the views of the Trent fishermen, or your own views; you have had some experience in it?—I suppose you are alluding to the taking of fish during the breeding season?

1251. Yes?—The practice of taking fish during the breeding season is carried out to a very great extent by night poaching. A very short time ago 2 cwt. of bream were taken up laden with spawn by some of those men; one was fined, and four others escaped; and great quantities of fish are invariably taken at this particular season, when they are breeding; and by using nets they destroy a great quantity of spawn; even when landing the nets, they sweep it from the river, and it is drawn up upon the embankment, and it rots there.

Mr. Mundella.

1252. They draw the nets over the weeds?—Yes.

Chairman.

1253. You say that one man was fined?—Yes.

1254. The men were brought up before the magistrates?—Yes.

1255. That was for a trespass?—They were fined 5 l. for night poaching, fishing with a net; 5 l. for an assault, 10 l. altogether.

1256. Then is it the case that it is generally the practice to do this in spite of the existence of the Conservancy Board and the Act?—It is.

1257. What additional protection do you think this Bill would give?—Simply because they dare not offer them for sale, or even have them in their possession, if this Bill is carried.

Mr. Isaac.

1258. What is generally done with these fish when they are taken?—They are brought to Nottingham and sold.

1259. Is there a ready market for them?—There is a ready market for them.

1260. Have you any idea what price they realise?

*Mr. Isaac*—continued.

realise?—About 3 *d.* per lb. the coarse fish, roach, and dace, and chub, and bream.

1261. Do you consider them wholesome as food?—I do not; certainly not.

1262. You would not eat them yourself, or give them to your family?—No; they are pretty good till they commence depositing their ova; but as soon as ever that takes place they are trash, and they lose all their flavour.

1263. You consider that a positive close time, such as is proposed by this Bill, would be an advantage in every way?—Most decidedly it would.

1264. It would increase the supply of fish, you think?—Most materially.

1265. And greater sport would be secured to those who love the art of fishing by having an absolute close time?—It would, indeed. It is a valuable article of food, too, is fish; you must not look at it only as sport.

1266. That is one of the questions I asked you; it would give a larger quantity of food, and it would be better food than if, as is the case now, there is no absolute close time for coarse fish?—Considerably better.

1267. Is there any other point you would like to give us your opinion upon?—I should like it made applicable to private waters, for this reason; the proprietors of fisheries, when taking a salmon at this particular period of the year, remove large quantities of coarse fish, and I very much regret having to say that they do not return them to the stream. Three years ago, at Crummell, below Newark, a person took two tons of bream one day, all ready for spawning, and some had commenced; he sold about one-half the weight, and the other quantity was consigned to the soil.

*Mr. Mundella.*

1268. To manure the land?—Yes; that was a great waste of human food, I consider.

*Mr. Isaac.*

1269. Do you know anything of the rules of the Thames angling societies?—Very little.

*Mr. Mundella.*

1270. Those private waters in that case were waters communicating with a public stream, the River Trent, were they not?—No, not communicating with it.

1271. Not communicating with any public stream?—No public fishery.

1272. But it communicated with the Trent; it was water communicating with a navigable river, a private fishery?—Yes; communicating with a navigable river, a private fishery.

*Mr. Isaac.*

1273. When you speak of private fisheries, what do you include in them; do you consider a person having the sole right of a certain portion of the Trent to have private fishery?—Yes, where no one is allowed to fish without permission. I consider that a private fishery.

1274. And they are the private fisheries that you allude to?—Yes, I consider the public water to be the tidal water only, and it does not run the whole length of the river; so that if you make a Bill for public water only, you make a Bill for one half of the river, and not the other.

O.110.

*Chairman.*

1275. But your observation would not apply to private waters, provided private waters were defined to be bits of water exclusively the property of one owner, which have no natural connection with navigable rivers or public waters?—I think it ought to be made applicable to every water in the kingdom.

1276. You think that anybody in the possession of a pond or of an ornamental water, or anything of that sort, is not to be at liberty to destroy fresh-water fish during the close season in that pond?—Of course a pond or ornamental water is a different thing.

1277. There are a great many ornamental waters in the kingdom. I want to know whether you mean that the owners of them should not be allowed to destroy the fresh-water fish in them in the close season?—I mean those parts of the navigable rivers which are made private by the owners of the fisheries; I am not alluding to the ponds or ornamental waters.

*Mr. Isaac.*

1278. Is there any other point to which you would wish to call our attention?—No, I think nothing more. The Bill all seems very good, except the alteration of the time.

*Sir Andrew Lush.*

1279. You approve of a close time?—Yes, I do.

1280. Do you want that substantially to apply to the whole of the United Kingdom?—Decidedly so.

1281. And you really think that that is perhaps one of the best features of the Bill, is it not; that is one of the best features of any new enactment, a close season?—Are you alluding to the dates?

1282. Not now. Do you think a close season one of the most important features of the Bill?—It is indeed.

1283. What time would you like the close season?—From the 15th of March till the 15th of June. I will give you my reason, if you wish it.

1284. That will do at present; you say that there are 1,900 people fishing upon that river?—Yes.

1285. Connected with societies?—Yes.

1286. But then there are an enormous number of people more who are not connected with societies who fish as well?—I should think as many more possibly.

1287. Boys included, would it not be double the number?—We do not look upon them as fishermen.

1288. Why should not a boy have sport as well as anybody else?—There is plenty of time at other periods of the year for a boy to have sport.

1289. You approve of a close season, because it would be useful for extending the sport, and would be beneficial to all parties?—It would.

1290. You would not allow any angling during that time?—Only for trout, char, eels, and salmon.

1291. You would not have any angling at all for these fish that we are speaking of?—Decidedly not.

1292. But just the same as the River Thames?—Exactly so.

G 4

1293. You

*Mr. Savage.*

4 June 1878.



Mr. Savage.

4 June 1878.

Mr. Bristowe.

1293. You know the Trent pretty well above Nottingham, and below, I daresay?—I do.

1294. Up the river, getting on towards Derby and Shardlow, and lower down towards Newark?—I do.

1295. It is a common amusement of the people all the way down to fish?—Yes.

1296. Quite irrespective of clubs and everything else?—Yes.

1297. Both among the labouring classes and the better class people, and so on, everybody?—Yes.

1298. And therefore all along the stream, so far as you know, would public opinion be entirely in favour of this measure?—So far as regards the whole length of the stream, I cannot say.

1299. But with regard to that part which you are acquainted with?—Yes, decidedly so.

1300. Now you mentioned to us about the proprietors of what you call private water; we now understand what you mean by that; those are chiefly, are they not, on the parts of the Trent that are cut off by cuts, and are not parts of the navigable river?—They are parts of the navigable river.

1301. And also parts where there is no navigation, because the navigation goes through cuts?—Yes.

1302. Is a good part of the Trent, from Shardlow down to below Newark, in the hands of private owners?—Yes.

1303. And part public?—Very little of it public.

1304. Do the public go and fish along the towing-path?—They must first get permission, or purchase a season ticket.

1305. From the proprietors?—From the proprietors, or those who take it on lease,

1306. Therefore, when you say that you would have private waters restricted, in the same way as this Bill proposes to restrict waters, you mean private waters that are streams, in fact?—Streams.

1307. You do not intend your observation to apply to ponds, and so on, that have no connection with flowing streams?—Well, I think not.

1308. Now I must ask you about grayling; you have been a fisherman many years?—I have.

1309. Do you remember any time when the Trent was better stocked with grayling than now?—Very much better.

1310. They are very scarce now?—Very scarce indeed.

1311. Can you give us any reason why that should be so?—I cannot give you any other reason than the nets taking them during spawning season.

1312. And to that you attribute chiefly the diminution in grayling?—Of course; no doubt the pollution of the river has had a most material influence also.

1313. Because the grayling requires a very clear stream?—Yes.

1314. And is that partly the cause of the diminution of the trout?—No doubt.

1315. Now I see that this Bill does not provide at all for the case of a previous conviction; would you leave it in that position, or suggest any alteration for a second conviction?—I would suggest that it remains as it is in that respect.

1316. You told us that you would object to angling being allowed during the close season?—Yes.

Mr. Bristowe—continued,

1317. Why?—If we were to angle during the close time, no doubt those who had nets would say that they had just as much right to use their nets as we had to use our rods. I am willing to sacrifice my sport during those months and many others along with me.

1318. You think there would be that practical difficulty in the way of carrying out the Act if angling were permitted?—Yes.

1319. Would another difficulty arise in this way, that if angling were allowed people would be setting night lines and drag hooks, and they would contend that it was line fishing?—Yes.

1320. And that would be a process by which fish might be taken very largely during the close time?—Yes; but it does not often happen that they take many fish, except eels, during the close time, by night lines.

1321. But you would object to them?—Yes.

1322. You are aware that it is a common practice on the Trent to set lines with 40 or 50 hooks and sink them?—Not so many hooks as that; sometimes two and sometimes half-a-dozen; very rarely so many.

Mr. Arthur Bass.

1323. Would there be any difficulty in bank holidays being excepted from the close time, Whit-Monday, for instance?—I should never draw the line in that respect. They might remove their bank holiday.

1324. You would exempt from the operation of this close time ponds or lakes in gentlemen's parks?—I think they might be so exempted. The only difficulty I see in the matter is in reference to those parts of the river which are termed private waters, and running streams where the salmon nets are now.

1325. You would not exempt them then where there was a connection with a river?—I would not exempt them.

1326. Only when they had no stream flowing out of them?—Yes. I think it would be nothing but right to return those fish to the stream after taking them in the salmon net.

Sir Robert Buxton.

1327. In speaking of the rod fishing, I think I am right in supposing that it is not confined to the inhabitants of Nottingham, but the river is very much visited by strangers for the purpose of angling?—Not so very much by strangers.

1328. You conceive that there would be no hardship to the inhabitants of Nottingham in establishing a close time?—Decidedly not.

1329. Supposing that a close time were established, you do not think that it would be desirable to empower any local authority to grant licenses to fish, say on Bank holidays, or other days?—No, I think not.

1330. You think it must be an absolute close time?—Yes.

1331. Hitherto there has been no close time on the river Trent at Nottingham for rod and line?—None.

1332. Nor for nets?—Nor for nets.

1333. During your experience of the river has there been any great diminution in the coarse fish?—Considerable.

1334. Do you attribute that to over fishing by net, or by line?—Netting.

1335. And in your opinion the prohibition of the sale of fish would meet the difficulty; in fact nothing

*Sir Robert Buxton*—continued.

nothing short of a close time for rod and line would meet the diminution in fish, which you have noticed in your experience in the Nottingham waters?—The prohibition of the sale of fish without a close time for rod and line would not be sufficient I am certain; there would be too great a loophole for them.

1336. You have no regulation as to the size of the fish taken out of the water?—They take them all sizes.

1337. Would you recommend such a regulation?—I should not like to do so off-hand.

1338. Do you think it would be practicable to carry it out?—I do.

*Mr. Dodds.*

1339. I understand that you represent, principally, anglers before this Committee?—I do.

1340. And I think you have already said that the anglers generally in Nottingham approve of a close time?—They do.

1341. Absolute and unconditional?—Yes.

1342. With reference to private waters, do I understand you to say that you would exempt fish ponds in private parks and pleasure grounds?—I think those might be left out.

1343. But you would not go beyond that?—No.

1344. When you spoke of private waters before, I think you have explained already that you meant waters where the right of fishing was in the hands of private individuals?—Yes.

1345. Not ponds in pleasure grounds?—Not ponds in pleasure grounds.

1346. Do you think it desirable that there should be a limit to the size of the mesh used in netting?—I do; but there is a difficulty about that, as I said before, because you are obliged to use nets for the taking of pike baits, and that mesh has to be a small one.

1347. How would you meet that difficulty; will you tell us as a practical angler?—A half-inch net would be quite small enough for the taking of pike bait. Of course, you are aware that such a size would not do for the purpose of salmon fishing.

*Mr. W. S. Stanhope.*

1348. Are there any particular days on which these large fishing parties take place more than any others?—None at all; all the year round, all days, and all weathers; it makes not the slightest difference.

1349. Is not Whitsuntide a particular date which they prefer?—Not at all at Nottingham.

*Mr. William Lowther.*

1350. Have you got any fish poachers in your part of the world?—We have.

1351. And they are sometimes brought up, are they?—Yes.

1352. Brought up by the police?—By the police.

1353. Or by your watchers?—It frequently occurs that those who are fond of fishing, not the police, give evidence against them; but generally it is done by the police.

1354. One gentleman who has been here is in favour of confiscating any nets that are found of a certain size during the close season; would you be in favour of that?—I am very much.

1355. There is a great deal of night fishing, is there not?—Not so very much now.

O.110.

*Mr. William Lowther*—continued.

1356. Have you got any trout in your part of the world?—Very few; we do not consider the Trent a trout stream; some of its tributaries are, the Wye and the Dove, and some part of the Derwent.

1357. You do not think that pike destroy trout?—Yes; they eat their own species much more than the other.

1358. You would be in favour of protecting pike rather than trout, would you?—Decidedly not; I did not mean that.

1359. Then if you have a close season for the pike the trout will entirely disappear?—There is no difficulty in keeping down the pike if the gentlemen will be rather prudent in giving permission to the rodsters; they will keep them down.

1360. But I understood you that you were in favour of not having any fishing at all during the three months?—None, except salmon, trout, char, and eels.

1361. You would not let them angle?—If eel fishing is permitted I should suggest taking them by the rod. The greatest amateur in the world could distinguish an eel from any other kind of fish; there is no difficulty about that.

1362. Do you think that many pike would be taken by the rod?—Yes.

1363. A very large number?—Yes, certainly.

*Mr. Dillwyn.*

1364. I think you said there were about 52 angling societies in Nottingham?—Clubs.

1365. And they, I suppose, have rights over certain private waters which they hire?—They have no rights unless they purchase them by season tickets.

1366. I mean they stand in the shoes of private proprietors?—Yes.

1367. Is there much public water which is independent, over which they have no jurisdiction?—There is very little indeed except the tidal waters.

1368. There are some of the tidal waters where there are private rights, are there?—There are no particular private rights in the tidal waters; anyone almost may fish there.

1369. How far does the tide come up to near Nottingham?—About 23 or 24 miles below Nottingham.

*Mr. Dodds.*

1370. To what place does the tide flow?—It will come up to Collingham in the spring tides; but that is exceptional.

*Mr. Mundella.*

1371. Now as to the occupation of Nottingham, the workpeople are generally employed in lace and hosiery, are they not?—They are.

1372. It requires a very close application, and puts a great mental strain upon everybody engaged in it?—Yes.

1373. The machinery required is complicated, and the men have to apply themselves very closely while at work?—Yes.

1374. And the Trent is a very beautiful river?—Yes.

1375. And the scenery about it is very striking and very picturesque?—Yes.

1376. It is a great attraction to thousands at Nottingham, is it not, to fish in the Trent?—Yes.

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1377. Now

*Mr. Savage.*

4 June 1878.



Mr. Savage.

4 June 1878.

Mr. Mundella—continued.

1377. Now you said that there was a Conservancy Board; but really is it necessary for everybody who wishes to fish in the neighbourhood of Nottingham to get permission to do so?—Decidedly not; not at every place.

1378. For instance, I have seen large parties go up to Hoveringham, and that district?—Yes; no doubt you are acquainted with Beeston Weir; from the first fence below that you may fish to that part adjoining Colwick Fishery; that is on the north side of the river.

1379. What is the distance of that?—Something like 4½ miles.

1380. That 4½ miles of the Trent is close to a population of 150,000 people, is it not?—Yes.

1381. And the Nottingham meadows run almost close to the stream, do they not?—Yes.

1382. Within half a mile of the stream?—Yes.

1383. That is public water?—Well, it is given to the anglers; they do not trouble about it; it could be closed if the proprietors thought well; but they do not do it.

1384. There are no proprietors' rights claimed over it?—No, there are not.

1385. And, practically, you may see people fishing, standing close together, within two or three yards of each other, by rows, scores of them, may you not?—Yes.

1386. You are aware that the Trent is a very long river?—Yes.

1387. From its source to the falls of the Trent in the Humber it is 180 miles long?—Yes.

1388. And with its tributaries it drains 4,000 square miles of land?—Yes.

1389. Now the conservancy is not a very strict conservancy, like that of the salmon rivers of England?—No, it is not; there is not sufficient salmon to care for.

1390. Now do you believe that if we could stop the netting during the close season, and stop the sale of fish during the close season, that of itself would be enough, without stopping the angling?—No, I would stop the angling too.

1391. Do you believe that where the population is so thick as it is on the banks of the Trent, the angling of itself would do a great deal to injure the fishing in the river, to prevent the multiplication of fish?—Yes, angling would.

1392. Now, have you seen fish taken with rod and line in the spawning season that have been unfit to eat?—I wish to state that last week I witnessed over 35 lbs. of chub caught by the rod, with the ova dripping from them.

1393. But that fish is not fit to eat?—Decidedly not.

1394. What is it taken for?—It is sold, and it can be sold regularly to the lower classes.

1395. It can be sold to the poorer people directly, I understand you?—Yes.

1396. I suppose the fact is this: they know nothing about close time, and they do not know that it is unwholesome, and so they buy it; is that so?—That is just it.

1397. Then you think that it would be right also to confiscate the nets of men found netting during the close season, do you?—I do.

1398. And with respect to private waters, you are quite willing that the Act shall not apply to private waters that are in gentlemen's grounds which do not communicate with any stream?—Decidedly so.

1399. Such as ponds or any ornamental lakes,

Mr. Mundella—continued.

or ornamental waters?—I do not think it ought to be made applicable to them.

1400. Now, I want to bring out another point about trout; where you have a trout stream, are not the pike dangerous to the trout?—Certainly.

1401. How would you keep them down?—By giving plenty of permission to the trout fishermen to kill them during the winter season.

1402. You are aware that this Bill, in Clause 6, Sub-section 6, says: A Board of Conservators appointed under the Salmon Fishery Acts, 1861 to 1876, may, with the approval of the Secretary of State, exempt the whole or any part of their district from the operation of the 1st, 2nd, and 3rd sub-sections of this section. The exemption shall be advertised in such manner as the Secretary of State shall direct." That is to say, that where the gentlemen who possess a salmon river desire to preserve their salmon and their trout, they can exempt themselves from that part of the Act which preserves the freshwater fish; you have seen that clause, I suppose?—Yes; but I do not think that that clause ought to exist in that shape.

1403. Do you think, then, that the fish can all prosper and all thrive without destroying any of them in the close season?—I do. In years gone by, when the Trent was a good salmon river, there was an abundance of pike, far more than now, and also larger quantities of other kinds of coarse fish. I think that ought to be a convincing proof.

1404. You think if you leave Nature to take care of herself, she will do so?—Yes.

1405. What evidence have you that the Trent ever was a good salmon river, with large quantities of pike in it?—I believe it is stated in the history of Nottingham.

1406. No doubt it was a good salmon river, because there used to be a clause in the indentures of apprentices prohibiting the Nottingham apprentices from eating salmon more than twice a week, used there not?—Yes.

Mr. Dodds.

1407. Did you ever happen to see one of those indentures?—I did not.

1408. Do you know anybody who ever did see one?—I do not.

1409. If you should happen to hear of one, would you endeavour to procure it for me?—I have no doubt it is very difficult to see one now.

Sir Robert Burton.

1410. How long ago was it that that happened?—I forget when; I know I have read it.

1411. You do not remember in what century it happened?—No; it is a long time ago.

Mr. Mundella.

1412. Can you state, within your own knowledge, that the quantity of fish in the Trent and its tributaries has been decreasing during your lifetime?—Yes, most decidedly so.

1413. You have no doubt about that?—They have decreased in numbers considerably.

1414. And you think that unless we take some means for their preservation, they will continue decreasing?—Yes, they will.

1415. You have no doubt about it?—No.

1416. That they will go on decreasing?—They will go on decreasing.

1417. The

*Mr. William Lowther.*

1417. The fish have decreased in the river, you say; have the manufactories increased very much in Nottingham in the last 50 years?—Yes.

1418. Is any of the water at all polluted at Nottingham?—It is more polluted now than then, of course. I am speaking of only 18 or 20 years ago; I would not go any further back than that.

*Mr. Mundella.*

1419. There are no manufactories on the Trent, are there?—There are in the town of Nottingham, not on the Trent.

*Mr. William Lowther.*

1420. Do you mean that you do not think that the river gets polluted?—Yes; it is polluted more now than it used to be.

*Mr. Mundella.*

1421. It is polluted by what comes in from the tributaries?—Yes.

1422. But on the Trent there is not a single manufactory, is there?—Nothing more.

*Mr. Dodds.*

1423. Do you attribute the diminution of fish, of which you have spoken, to the pollution at all?—To some extent.

*Sir Robert Buxton.*

1424. Is there sewage pollution in the Trent?—Yes, there is sewage pollution.

1425. The population has largely increased, has it not?—Yes.

1426. Has that had any effect on the fish?—Certainly, it has. I wish to state that some 20 years ago we used to go and take five, six, nine, and even 12 pounds weight barbel; now, I consider it an excellent fish if I have one 4½ or 5 lbs. weight; and, instead of having 10 or a dozen good fish of that size in a basket, I am satisfied if I get a brace now after fishing many hours, and equally diligently.

*Mr. Mundella.*

1427. The Trent is not, in the ordinary sense of the term, a river much polluted; it is a beautiful clear river; the Nottingham people think a good deal of the Trent?—Not now; they have considered it not fit to drink these last few years.

*Sir Andrew Lusk.*

1428. The Trent is a very large river in some parts; it goes down a good way?—Yes.

1429. Do you mean to say that part of that is private?—After you leave the tidal waters. When I say that the tide comes to Collingham, it has to be a good tide to reach Collingham.

1430. You say the Trent is 180 miles long; after 50 or 100 miles up, do you mean that, if that is private, gentlemen protect it as their own?—Most decidedly so.

1431. The bed and the soil of the river are theirs; but do they consider the water theirs?—It is not navigable.

1432. Whose is the water?—It belongs to various proprietors.

1433. Who does the water belong to?—I suppose whilst it is traversing that locality it belongs to the proprietor.

1434. He could take it all out of the land; is that what you mean?—No.

1435. You tell me that the fish spawn, and there are some very young fish; and if you say that he cannot take out all the water, why should he take out the young fish?—They do take out the young fish and the old ones too, particularly in salmon fishing. I have seen half a ton of coarse fish taken out at one drawing of the salmon net.

1436. Do you mean to say that gentlemen allow people to come and fish during the close season; that they let their fishings during the close seasons in these waters?—Yes, they do.

1437. Do they actually let the water to them in the close time?—They let the water to other gentlemen who allow the sale of fishing by tickets afterwards; it is sub-let afterwards.

1438. And to net as well?—Yes.

1439. Destroying all the young fish?—Anything.

1440. Do you not think that some legislation is necessary to prevent that?—I do indeed.

1441. That is most destructive to all our best sport and our means of food supply?—Yes; I have ample proof of it, because last year our club rented one ourselves, and it was left to our discretion to do just as we liked all the year round.

*Mr. Savage.*

4 June 1878.

Mr. EDWARD FIELD, called in; and Examined

*Chairman.*

1442. You are the Honorary Secretary of the Norfolk Fishery Association?—Yes.

1443. That is an association which has been formed to carry out the Act which you got passed last year?—I am the Honorary Secretary of the Board of Conservators of the two counties, and I am also Honorary Secretary of the Norfolk Fishery Association, which is another association for carrying out the Act in Norfolk, leaving Suffolk to form the same association in that county.

1444. So that, if I understand you, besides the Board of Conservators, which is in accordance with the Act appointed by the Quarter Sessions, I think, for the two counties, there is also in existence in Norfolk a Fishery Association of which you are secretary?—A voluntary association for carrying out the Act.

Q.110.

*Chairman—continued.*

1445. For providing funds?—Providing funds for carrying out the Act.

1446. Let me ask you generally the principal waters which exist within the limits of your association; are they Broad?—Of the navigable rivers, the Yare, the Wensum, and the Bure, are the three principal ones; and then there are the Broad's connected with those rivers.

1447. The Broad's are a considerable chain of inland lakes, communicating by means of a good many miles of river mostly navigable with the sea, are they not?—Yes, this in fact just takes in the limits of our free navigable waters in Norfolk and Suffolk, and the Broad's (*producing a map*). It was not made for this purpose, but it happens to fit exactly; it is the yachting map for Norfolk. That water may generally be described as being exceedingly well adapted for the cultivation of all coarse fish.

H 2

1448. And

*Mr. Field.*

Mr. Field.

4 June 1878.

Chairman—continued.

1448. And there is a great quantity of fish in all those waters?—There used to be a much greater quantity than there is now.

1449. Has there been a great diminution of fish, and, if so, to what do you attribute that?—Within the last 20 years there has, and I attributed it to netting; I can speak for the last 20 years to the excessive netting.

1450. During the close season?—We have not had a close season before; I mean netting, generally, netting by poachers.

1451. In consequence of this state of things, inquiries took place; Mr. Buckland, I think, came down?—Yes.

1452. And various meetings were held, and the feeling was so strong that last year you got an Act passed by which you now regulate all the fisheries in these matters?—Yes, the feeling was unanimous there.

1453. I see by Section 2 of your Act that it applies only to “the navigable rivers in the counties of Norfolk and Suffolk, and the county of the city of Norwich, and to the Broad connected with such rivers, and shall not include the sea or sea coast”?—Yes.

1454. Upon that let me ask what do you say about the question of private waters; have you had any difficulty about private waters?—No, not any at present; we do not expect any there; the owners of private waters will take care themselves of their own fish and they will not let the poachers come.

1455. Except so far as they are connected with navigable rivers, they are not affected by your Act?—No.

1456. After the passing of the Act your conservators have been appointed, and you have passed bye-laws?—We have passed bye-laws, and there are some at present before the Secretary of State for his approval.

1457. Probably they are those of which I have a copy before me?—Yes.

1458. They appear to have been passed at a Board of Conservators which met on Saturday the 15th of December last, Lord Kimberley in the chair?—Yes. The Secretary of State rejected three of them, Nos. 2, 14, and 16, because he wished them expressed in a different way; we have since had them re-advertised, expressed in a different way, and they are now before the Secretary of State for his official approval.

1459. Let me ask you now shortly what are the powers which are given to you under the Act; do they extend further than this: “The Board shall have power to make, and similarly from time to time to vary or rescind, bye-laws for any or all of the purposes following (that is to say): To determine the time in each year during which it shall be illegal to fish for, take, or kill, or attempt to take or kill, otherwise than by rod or line, all or any of the different kinds of freshwater fish found within the limits of this Act”; that is enacted in your Act?—Yes.

1460. In consequence of that power, you have made bye-laws for these kind of freshwater fish; and can you tell us what the close time is which you have fixed?—From the 1st of March to the 30th of June, four months; that is in operation now; it is a close time against all fish except eels, tench, bait, and smelts.

1461. You have special regulations for the taking of bait and the taking of smelts?—Yes, there must be a separate time for those.

Chairman—continued.

1462. But the fish you are speaking of now are the coarser fish?—Yes.

1463. Then I gather that the universal feeling has been in Norfolk and Suffolk, that there should be no close time against angling, so far as your waters in Norfolk and Suffolk are concerned?—No, we do not consider it necessary in Norfolk. Our waters are too deep and heavy to render a close time necessary.

1464. That is to say, no harm can be done, you think, by rod and line?—No harm can be done, because in the breeding time fish do not take the hook readily to any extent.

1465. Is there much angling?—There is a good deal of angling by people going out from Norwich; the artisans angle a good deal from the Saturday night to the Sunday and Monday, and particularly on Easter Monday and Whit Monday, which would come into the close time; it would create great dissatisfaction in Norwich if it were prohibited; I do not think you could carry out such a law in Norwich on the Yare and the Wensum during those days.

1466. I suppose you have not had sufficient experience yet to be able to tell us whether you anticipate any difficulty arising from this fact, that netting being prohibited it might be more difficult to prevent netting when they see angling going on?—No, I do not think we shall find that.

1467. In Norfolk, at all events, upon your waters there will not be that difficulty?—No.

1468. You have power besides to make bye-laws for the close season; power “to determine the mesh, size, and description of nets, and to regulate the use of nets, engines, trimmers, liggers, or instruments of any kind for the purpose of taking fish within the limits of this Act”?—Yes.

1469. Have you made bye-laws about the mesh?—We have passed a bye-law, and it is now before the Secretary of State for his formal approval; we first asked for a mesh of four inches; that was too large, and when we proposed three inches to the Secretary of State, he asked us to be content with two-and-a-half, the same as salmon; but upon representation that the two-and-a-half inches would not protect our fish, owing to the configuration of those fish, the bream particularly, he has agreed to give us a mesh of three inches for three years, to see how it will work, and at the expiration of that time the bye-law must be re-considered. That bye-law is now before the Secretary of State for his formal approval. The bye-law is that “No person shall use or attempt to use at any time within three years after the 30th day of June 1878, for the purpose of taking fish other than tench, smelts, bait and eels, any net having a mesh of less dimensions when wet, than three inches from knot to knot measured on each side of the square, or 12 inches all round.”

1470. That applies to netting all the year round?—Yes.

1471. How is it proposed to carry out the Act with you; is there a power of bringing offenders before two magistrates?—Before the petty sessions.

1472. And the expenses of carrying it out are provided for by voluntary subscriptions?—Yes; we are provided for that by voluntary subscriptions.

1743. You

*Mr. Mundella.*

1473. You said, in answer to the Chairman, that in the breeding time you think the fish do not take the bait readily; is that true of pike and perch, and of predatory fish generally?—I have been told repeatedly by fishermen that they do not bite freely when attending to the breeding process; but I do not know about the individual fish.

1474. You have just said that during Bank holidays you think it would not be possible to enforce a close time in your waters?—I do not think it would.

1475. Do you not think that if it were made known that the fish are spawning at that time, and that they are unwholesome, the anglers in your district, the amateurs, would be very willing indeed from their own common sense to refrain from fishing for that time?—They have been told that for the last 24 years.

1476. Do you not think that it is more from ignorance than anything else that they fish in the close time?—A good many of them go for the amusement of catching the fish. I, myself, never took home what I caught yet; but I always give them away; I go for amusement.

1477. But you do not fish in the close time, do you?—We have never had one till now.

1478. Have you ever fished during the spawning season?—No, it is too early for me to go in March or April; I should not go then.

1479. Now Mr. Walpole gave evidence before us with reference to boards like your own, and he said this: "I think that the law ought to extend to anglers with regard to the close season; but I would make two exceptions to that rule; I would give the owner of a private fishery power to allow any person, by writing under his hand, to fish with rod and line in his waters during the close season"; and I think he said also, that he would allow a Board of Conservators to give licenses for angling during the close time; you have a Board of Conservancy now?—Yes.

1480. Do not you think the whole difficulty of the case would be met by your having the power to give permission for persons to fish during the close season?—Yes, it would.

1481. That would meet it, you think?—Yes, I think it would.

1482. For instance, take the Bank holiday; if you were to advertise, "The Norfolk Board of Conservators will allow fishing during the close season on such a day"; would not that meet the whole difficulty on Bank holiday?—Yes, but we should have the power to give that permission, not only on those particular days, but any days during the three months.

1483. Are there so many people who fish in your part of the world that it would be impossible to have a little printed form, signed by you as secretary, to send to every man who wants to fish?—I do not think that that would be practicable; they would transfer them from hand to hand.

1484. How would you do it?—I should give it by public notice, that the close time would not extend to such and such days, or months, in Norfolk.

1485. For anglers?—For anglers.

1486. If this Bill were passed with such an exception in favour of Boards of Conservators, or private owners, that would meet your case entirely, would it not?—I think it would entirely; it is very much what I was going to suggest.

0.110.

*Mr. Mundella—continued.*

*Mr. Field.*

4 June 1878.

gest to the Committee, namely, that every quarter sessions should be a virtual Board of Conservators to fix the close time for angling in their own locality; but that would do the same thing as far as Norfolk is concerned. But there are districts where there are no boards at present.

1487. Would there not be this difficulty, if two adjoining courts of quarter sessions were to fix different periods for the close time, say, 15 days' difference, that the fish might be brought from one district and sold in the other district, and you could not prove, could you, where it was taken?—No.

1488. The importance of a uniform close time you see is, that the sale may be stopped uniformly throughout the country at one time; is not that so?—I can see that. That would be an objection to the general license also.

1489. No, because though you might give a license to anglers, you prohibit the sale?—Yes.

1490. Therefore, there would be no objection to that?—No, not if you keep in that clause prohibiting the sale.

1491. You are in favour of that clause prohibiting the sale?—Yes.

1492. And you would prohibit netting?—I would prohibit netting.

1493. And you would only allow angling by permission?—Yes.

*Mr. Dillwyn.*

1494. Are these Broads brackish or salt water?—Many of them are brackish; salt water comes up to many of them.

1495. They are deep?—Some are very deep indeed, but they vary; many of them are navigable, and barges go through them.

1496. They are all in connection with the sea and the tidal water?—Yes; the tidal water runs up to Norwich.

1497. Are they generally claimed by private proprietors?—I believe they are.

1498. They claim the soil and the right of fishery?—They claim the right of fishing.

1499. Do you know how they claim that right?—No.

*Mr. William Lowther.*

1500. Do not you think that if netting at night were put a stop to, that would give very great protection to the fish?—I do not think netting at night takes place to any great extent, except by the poachers, and you cannot stop that by Act of Parliament. I do not think any legal fishing at night takes place.

1501. I mean, if all the year round night netting were put a stop to?—I should like to see netting put a stop to all the year round, but that could not be; the river would be so full of fish after a time that we should have to come to Parliament for power to net.

*Mr. Mundella.*

1502. But if you have the right of netting between sunrise and sunset, that is enough?—I understood the honourable Member to propose to stop netting altogether.

*Mr. William Lowther.*

1503. I say "netting at night"?—I do not think they can net at night in Norfolk, under our bye-laws.

H 3

1504. But

Mr. Field.

4 June 1878.

Mr. Mundella.

1504. But you have a special Act of Parliament; do you think that for the country generally it would be a good thing to stop netting at night at all times?—Undoubtedly during the usual hours; between one hour after sunrise and one hour before sunset it would be permitted.

Sir Robert Burton.

1505. You have had a large acquaintance with the fisheries in Norfolk, not only with the navigable rivers but with the Broads?—Yes.

1506. And you have come to the conclusion that some legislation is desirable in order to prevent the diminution of fish?—Yes.

1507. In your opinion does the Act passed last year fully meet the case, so far as the Norfolk and Suffolk fish are concerned, with the bye-laws that have been passed, and are now waiting the sanction of the Secretary of State?—Yes, we have not found out that anything more is necessary.

1508. In your opinion how far would an Act similar to the Norfolk and Suffolk Act be applicable to other parts of the kingdom; an Act appointing local boards of conservators with power to pass local bye-laws to meet local requirements; how far do you think that that would work as a general Act applied to the kingdom?—I think that the best thing that can be done. If it works well for Norfolk and Suffolk, I do not see why it should not work well for other counties.

1509. You stated just now that a close time for rod and line would not be an unpopular thing in Norwich if there were exemptions granted?—No, because I have no doubt the conservators would give liberty for the rod and line to anglers.

1510. Are there not large masses of the population of Norwich who are in the habit of going down to the river at all times?—I believe there are.

1511. And would they not consider it a hardship that they should be obliged to get a license; a working man, for instance, after his day's work?—I said we should have to give a general license by advertisement. We could not give a special license; it would be a great hardship; besides, it would be transferred, and we should never see the end of it.

1512. That general license could only apply to one or two days; otherwise your close time would be done away with?—That would be the result.

1513. You would give a license for one or two holidays, and the Norwich artisan would be debarred of the right he has hitherto had of going down to the river for sport; you would close the river for four months in the year?—For four months in the year it would be closed in that case.

1514. But you would allow one or two days out of those four months for fishing days?—I for one, as one of the conservators, should go for giving a general license during the four months.

1515. How do you reconcile that with having a close time for rod and line?—I do not want a close time for rod and line.

1516. I understood from your evidence just now that you did not object to a close time for rod and line, provided it were relaxed on certain days?—I do not mind having a close time for rod and line in Norfolk, if at the same time you

Sir Robert Burton—continued.

give the Norfolk conservators power to relax it to any extent they think right, which I understood was Mr. Walpole's evidence, that you should give powers to the Board of Conservancy to give general licenses to fish.

Chairman.

1517. You do not desire any close time against angling in Norfolk and Suffolk?—Certainly not.

1518. Then you would prefer to be exempted from the operation of this Bill, which has been brought in?—No; because some of the clauses are good, what I call the Sale Clause, and the Dynamite Clause. But if you gave the Boards of Conservators power to relax or do away with the close time for angling, that would meet the objection, because by that means we could exclude angling from the Bill.

1519. Would it not be a simpler plan to exempt you from the operation of this Bill with the exception of certain clauses?—Yes.

1520. To say, "This Act shall not apply to Norfolk and Suffolk, with the exception of section so and so"?—Yes.

1521. That would meet your view?—Yes, that would meet our view; it would do it in a more direct way than the other way.

Sir Robert Burton.

1522. You would prefer that the counties of Norfolk and Suffolk should not be included in an Act which should prohibit the use of rod and line during the close season?—Just so; and if you do include us, then I ask you to give us power to exclude ourselves. There were two points which occurred to me in reading this Bill that I should like to mention to the Committee. One was on Section 3: "This Act shall not extend beyond the limits of the Salmon Fishery Acts, 1861 to 1876;" would it not be better to say which waters it shall extend to; for instance, "all the waters in England and Wales, except the Tweed," rather than have to refer to legislation for the last 15 years; it does not matter to members of the legal profession; they can ascertain it; but the public will not know, and they will immediately draw the conclusion that this Act only extends to where there is a salmon fishery district; Norfolk never has had, and probably will not in our time have, a salmon fishery district, and therefore the impression will be that this Act will not extend to Norfolk.

Mr. Mundella.

1523. Instead of reciting the Acts you would recite the districts?—I would put it: "This Act shall extend to all waters in England and Wales," and so on. The other point was as to the penalty; the penalty is only 40s.; 40s. is no use at all. We have bye-laws in Norwich under the Corporation, and 40s. is no use at all; and when we went for our Bill last Session, the Secretary of State gave the magistrates power to inflict a penalty not exceeding 10l. I was told that one consignment of fish was sold for more than 7l. to the dealers at Yarmouth; and therefore the poachers would willingly pay the 40s., or run the chance of having to pay the 40s., knowing that if they are caught it is nothing after all.

1524. Your penalty is a penalty not exceeding 10l.?—Yes.

1525. And it might be 1s., I suppose?—Yes, leaving it at the discretion of the magistrate.

1526. You

*Sir Robert Buxton.*

1526. You have devoted some attention to the subject; now, do you think that any Bill which did not prescribe the mesh of nets would not be an effectual Bill?—No, it would not. The last witness spoke about a mesh of an inch; one inch is no use at all; no fish worth catching could avoid being caught. A two-inch mesh is no use; it would catch everything worth catching. We consider two-and-a-half too small, and the Secretary of State has given us power to take three inches.

*Sir Andrew Lusk.*

1527. What would catch a herring?—I suppose that is what the herring takes, about an inch.

*Mr. Bristowe.*

1528. A three-inch mesh is what you are going to have in Norfolk?—Yes.

1529. That you consider a satisfactory size?—That we believe will be.

1530. And, so far as you know, that is a sort of recommendation that you would make applicable to England, so far as you are acquainted with the subject?—That was more particularly with regard to the fish in Norfolk, our bream; the bream is a very heavy-shouldered fish, and he would be stopped by a three-inch mesh when a jack of more than his weight would go through.

1531. Would you have any regulations made respecting the use of set nets during the night or during the day, or would you leave it without legislation?—I should not allow it.

1532. What would you not allow?—Any set nets; during the night no net should be set to be fixed.

1533. I am not speaking of a close time now?—No; at any time no net should be fixed at all, what we call a set net.

1534. That you would forbid?—I should forbid that. We do not propose to allow it in our jurisdiction in Norfolk and Suffolk.

1535. That is provided for in your bye-laws?—Yes.

1536. Then you would only allow nets to be drawn and taken out of the water, and so on, but not to be fixed at all?—Not to be fixed at all.

1537. Would you forbid the drawing of nets at all during the night?—Yes.

1538. Your opinion is in favour of netting during the open time, only being allowed during the day time?—Only to be allowed during the day time.

1539. With reference to the crawfish, has that matter been mentioned at all in Norfolk?—I do not think that we have crawfish in Norfolk to any extent, not in our public rivers.

*Mr. Stafford Howard.*

1540. I want to understand you correctly; I think you said that you are of opinion that the sale of fish and the netting of fish ought to be universally prohibited throughout the kingdom during a uniform close time?—Not a uniform close time; that is my difficulty, about one close time for different parts of the kingdom. We take four months; other localities may not take our four months at all; they may take other months.

1541. Do you not think that it is extremely desirable that there should be a uniform close time, at all events for prohibition of sale throughout the close season?—The non-sale of fish

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*Mr. Stafford Howard—continued.*

should be equal to the close time for the particular locality.

1542. Do you not think that it is very bad to have different close times in adjoining localities?—It may be very difficult, but it is very necessary; for instance, we are obliged to have a different close time for smelts, a different close time for different fish in the same locality.

1543. I understood you to say before that you considered it very necessary to have an uniform close time for the sale of fish all over the kingdom?—I never used the word uniform, because I have always found that difficulty about it in different parts of the kingdom. That is why I should suggest that every court of quarter sessions should have power to make its own close time; they would know the requirements of the locality.

1544. As against sale as well as netting?—I take the prohibition of sale to be equivalent to the close time.

1545. You wish each district to have its close time as regards sale, net, and angling?—I apprehend that our close time would not be the same as that on the Westmoreland lakes; the same close time would not suit both.

1546. But as to coarse fish?—If you take the months of March, April, and May, perhaps you get the three months which will take all coarse fish.

1547. Nearly all the witnesses have agreed to the time from 15th March up to the 15th June?—We prefer from the 1st March to the 30th June; we have taken the whole of the months.

1548. You would like Norfolk and Suffolk to be exempted from this Bill?—Yes.

1549. Otherwise you would approve of the Bill?—Yes.

1550. And that it should be uniform in all other districts?—I do not care about the other districts so much. I have not thought so much of other districts, thinking of my own.

1551. You think this Bill would do if it passes as it is, with a universal close time against the sale of fish and netting established from the 15th March to the 15th June; and boards of conservators and private individuals having the power of granting exemptions in favour of anglers?—Yes, that would remove my objection, or you would do it more directly by excluding us from the Bill.

*Sir Andrew Lusk.*

1552. You mentioned that you would like to have a close period at some time?—Yes.

1553. That is your feeling that there ought to be, on public grounds, a close season for all fishing?—Yes.

1554. But I am sorry you cannot apply it generally to your district where you want to make exceptions in favour of angling?—In Norfolk I say it is not required as against angling, because of our waters; we have too deep and too large waters to require it; our boards do not require a prohibition against angling at any time. It cannot do any harm with us.

1555. Do not you think we might make a law that would apply generally to you even, to shut out anglers at all times and at all places, a general law that would prevent anglers from angling in all waters at all times during the close season?—That would be very unpopular in Norfolk, and be rather impracticable.

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1556. It

*Mr. Field.*

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Mr. Field.

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Sir Andrew Lusk—continued.

1556. It does not seem to be unpopular on the Thames here; do you know that?—I am aware of that; but then it has been in operation for a good many years, and people have got accustomed to it. We should have to make a new law for Norfolk, and have great opposition to it.

1557. It would be very difficult to give in one part the power to angle and in another part not to give the power?—Yes.

1558. You admit that it is a cruel and unnatural thing to take a fish out during the spawning season?—Yes.

1559. As a rule the public in this country are fairly generous in these matters; if you point out a thing they generally give way and obey the law, do they not, as a rule?—I think in Norfolk they are very willing to obey; but I think they would feel it a very great hardship to be prohibited from angling for three months in a year.

1560. Do you think we ought to do wrong merely to please a few people?—In Norfolk I do not think it is wrong. I do not think we want the prohibition, because I do not think the practice does harm.

1561. If you make a general law it is well to let people understand it; but if you give some cases where they may break the law it is a very troublesome thing?—Of course it is open to that argument.

1562. In Norfolk there is a rule of the road, and that is understood, and people obey the law?—Yes.

1563. Take fox hunting again; men for the public good cease to hunt, and are satisfied to do so?—Yes, and it is the same thing as against shooting.

1564. Do you think that the people would be dissatisfied if there were a certain close season?—I think it would be a great hardship, because a great many of the artisans do not fish only for pleasure, but for food, and for three months they are under this proposal prohibited; it may be that the fish are not so good at that time, but they do not care about that.

1565. Then coming to the question of hardship; it is a hardship to kill the goose who lays the golden eggs?—No doubt it is wrong.

1566. Would it be a hard thing to kill a cow just about falling down to calve?—Yes, it would be wrong to do it, but if a man did it only to one in a hundred it would not be felt as having any general effect.

1567. Do not you think that people, taking them as a rule, if it were pointed out to them that it was better for all parties that the fish should not be taken, would abstain from fishing, and not grumble?—I do not say they would not grumble.

1568. But they would submit?—Of course they must submit to the law.

1569. We, in London, have a much larger population than you have, and the people here fell into it at once, because they keep their fishing for nine months?—But the persons who fish on the Thames here are a very different class of people from those who fish in Norfolk and the country rivers; those who fish in the big towns like Manchester, Sheffield, and Nottingham are a different class.

1570. How "different"?—A different class of people; there are more artisans among those who fish in the country than you get in London.

Mr. Rodwell.

1571. It is suggested that it is an act of cruelty to catch a fish in the spawning season with a rod and line; is it more cruel to catch it at that time than at any other?—No, of course it cannot hurt the fish any more.

1572. Now another thing; you say that it would be unpopular in Norfolk to prohibit angling during those months; do you not think it would be unpopular all over the kingdom?—I am not so competent to form an opinion about that. I think those who have been accustomed to fish all the year round would feel the same inconvenience as we should.

1573. It is suggested that the few should obey the law, in order to benefit the majority; does it occur to you that the majority will be the parties inconvenienced, and the few benefited by it?—I think it would be the majority who would be anglers.

1574. Does it not seem to you that there would be great difficulty in country districts in carrying out a law of such an arbitrary nature as to say that no person should fish with a rod and line for four months in the year?—I know we could not do it in Norfolk. I do not know what power they would have to enforce it in other parts.

1575. The carrying out of these fish game laws, as I may call them, would require keepers and bailiffs, and watchers, and so on, to carry them out at all?—We are obliged to keep a watch on our own rivers.

1576. That would involve considerable expense throughout the country?—Yes.

1577. Does it occur to you that it is bad legislation to pass a law which could not be carried into effect?—I would rather only speak of Norfolk, and leave other counties to speak for themselves.

1578. I understand you to say, that unless you paid watchers, you could not carry out your comparatively mild law?—No; we are now going to appoint water-bailiffs for the different rivers in Norfolk.

1579. Who pays for that?—Voluntary subscriptions.

1580. With regard to the catching of fish with a rod and line during those months, are you of opinion that the mischief that would be done to the breeding, or the quantity and growth of fish, would be almost inappreciable?—That is my opinion.

1581. And I suppose it is the opinion of those who lent themselves to the bye-laws you are here to produce?—And of those I have met at our different meetings at Norfolk.

1582. As far as your local knowledge can be applied generally, you are strongly of opinion that angling ought not to be prohibited at any time during the year?—Yes, speaking for Norfolk and Suffolk.

Mr. Dillwyn.

1583. I understood you to say, that you think there ought to be a close time against sale in Norfolk?—I should be very glad to see that, because if we do not catch the poacher fishing, we may catch him selling.

1584. But you do not think it should be uniform all over the kingdom?—I have no objection to that.

1585. I thought you said each quarter sessions should fix its own close time?—That was with reference

*Mr. Dillwyn*—continued.

reference to whether the close time should begin on the 1st of March or the 15th of March.

1586. But for sale you think it should be uniform?—I think the prohibition against sale should be equivalent to the prohibition against angling, in the close time.

1587. If you have one close time against sale in Norfolk, and in Lincolnshire they fix upon another close time; if, for instance, in the bordering rivers of Norfolk and Lincolnshire you fix the end of May and they fix the middle of June as the end of the close time, would they not take your fish and sell them in Lincolnshire?—Yes, that must always be the case where you draw a line.

1588. There must be one uniform close time for sale?—You might make it from the 15th of March to the 15th of June, as this Bill proposes.

1589. I mean if you do not have it uniform they will evade it whenever these are bordering counties?—Yes; I should ask for it from the 1st of March to the 30th of June.

1590. You think it must be uniform to the whole country, at all events?—Yes; it would be better understood.

*Mr. Stafford Howard*.

1591. You would not wish Norfolk and Suffolk to be exempted from the operation of this Bill, as to that clause which establishes a close time against sale from the 15th of March to the 15th of June?—Not as against sale, but as against close time otherwise.

*Sir Stafford Howard*—continued.

1592. It should be uniform throughout the kingdom, otherwise your own people would be enabled to evade your law by selling the fish in the adjoining district when their close time was expired, if you had a longer one than they had?—If there was a close time against sale for the three months then, although in Norfolk our men might catch the fish, they must catch them, not for sale, but for their own purposes.

1593. You wish for an uniform close time against sale?—Yes.

*Mr. Bristowe*.

1594. How would you provide for the case of an uniform close time against sale and not an uniform close time for the catching?—I say that during that time a man may catch the fish but must not sell them.

1595. You are in favour of maintaining the right of angling during the close time?—Yes.

1596. Would not that open the door to all sorts of drag-hooks and night-lines, and all that?—No, we prohibit that by our bye-laws.

1597. You do not anticipate any difficulty from your allowing angling where you do, from the setting of night-lines and drag-hooks, and so on?—No; because if we found a man doing that we should stop it and prosecute; it is contrary to our bye-laws. That should be prohibited by this Bill; it does not go far enough for that, but in Norfolk and Suffolk we have bye-laws to prohibit it.

*Mr. Field.*

4 June 1878.

*Mr. THOMAS GUEST*, called in; and Examined.

*Chairman*.

1598. You live at Sheffield?—Yes.

1599. You are an artisan there, I presume?—Yes.

1600. What trade do you belong to?—A cutler.

1601. Have you been appointed to come here by any society?—The Amalgamated Society of Sheffield.

1602. That is to say, the society that represents all the fishing clubs in Sheffield?—Yes.

1603. Are there a great many fishing clubs in Sheffield?—I have a printed list here of 211, and we have some more since these were printed.

1604. Can you give me any idea of the numbers in these clubs?—Last year we had over 8,000 members of the clubs in the aggregate; of course I cannot give any definite answer yet as to the numbers this year; it is only about the latter end of August that the clubs are all made up for the year.

1605. Is it the case that these clubs are very generally supported in Sheffield?—Yes.

1606. Now what do you say about this Bill of the honourable Member for your borough?—It is generally approved of by all our association, by all our members.

1607. And that approval extends to making a close time for angling as well as for netting?—Yes.

1608. That is to say, in your opinion in Sheffield, it would be practicable to carry out a law which shall prevent anybody fishing with rod and line in the neighbourhood of Sheffield during

*Chairman*—continued.

those three months of the year?—Yes; in fact for this last three years, all the clubs which are under the association, have abided by a similar law, which is our own local affair; we are not allowed to take perch, pike, or dace during March, or April, or May; and we do not take roach, chub, or bream during May and June.

1609. But so far as the time of the close season is concerned, do you agree with the close time suggested in the Bill?—Yes.

1610. It has been suggested to us by a good many witnesses that it would be preferable to take from the 15th of March to the 15th of June as a universal close time to that in the Bill; do you agree to that?—Yes, I think so.

1611. Do many of these clubs in Sheffield rent waters?—No; only about two that I know of.

1612. That is to say, that the majority of the angling that takes place in Sheffield is in waters that are public?—Yes.

1613. What waters?—We go down to part of the Don below Doncaster, and the Keadby Canal; then the Trent is the principal water, but we have nearly 40 miles to go to get to it.

1614. You have spoken of a close season, which is observed by all the members of your clubs, whom you represent, is there much angling that goes on during that time, outside your clubs?—Yes.

1615. To any considerable extent?—There are many anglers who do not belong to the clubs. I should say as many as there are who do.

1616. Do you think that there would be any difficulty,

*Mr. Guest.*



Mr. Guest.

Chairman—continued.

4 June 1878. difficulty, looking at it from a common sense point of view, in carrying out such a law as this, with reference to the 8,000 other anglers in Sheffield, who do not belong to your clubs?—I do not think there would be. In fact, this measure was brought forward, and we had a copy of resolutions embodying the same thing as the Act was framed on, and we sent copies of those resolutions to all the anglers before a meeting was held, and we had nearly 3,000 persons present.

1617. And at that meeting did you pass resolutions approving of the close season?—Yes, and not a voice against it.

1618. Was it explained at that meeting that this close season did not mean only netting, but angling also?—Yes.

1619. That was understood?—Yes.

1620. And that being understood, it is the opinion of Sheffield that angling can be prohibited during the close season?—Yes; and the general opinion of the anglers is, that if there is a law to prohibit netting, they should only abide by the same law themselves.

1621. And they would also agree in prohibiting sales?—Yes, I think they would lay more stress upon that than anything at all.

1622. Is there any other opinion or evidence that you would like to lay before the Committee?—No, I do not know that I could improve on it. I should like to mention about the nets. Mr. Savage said an inch from knot to knot; I think that would be very small. I think nothing should be used under an inch and a-half, when wet, from knot to knot.

1623. You think it would be better, probably, to go even higher than an inch and a-half?—Yes, it would leave better fish; our fisheries are all public, and they get laid on tremendously by netting, and that is the reason why we have had to substitute a size of mesh rather small. Take roach; they run to about seven inches, and we are not allowed to take them under.

1624. Do I understand you to give an opinion that it would be desirable to prohibit taking fish below a certain size?—I think it would.

1625. You think it would not be sufficient to leave it to the action of the clubs; is that your meaning?—I think it would be better to leave it to the clubs themselves, because some parties might be more fortunately situated as regards water than others.

1626. In fact in an Act of Parliament it would be impossible to lay down any such regulations?—I think so; the anglers themselves ought to do it.

1627. You would agree that the simpler this Bill is made the better?—Yes.

Mr. Mundella.

1628. You are a working cutler, are you not?—Yes.

1629. And the fishermen are most of them of the artizan class?—Yes, every one of our men.

1630. Of the 8,000?—Yes, all working men.

Mr. Rodwell.

1631. Do you mean in the clubs, or the fishers generally?—In the clubs.

Mr. Mundella.

1632. Then there are a great many anglers who are not in the clubs, you say?—Yes.

Mr. Mundella—continued.

1633. And with regard to the anglers who are not in clubs, are they mostly in the artisan class, or a better class?—They are most of them artisans.

1634. And you convened a meeting in Sheffield on this question sometime ago, did you not?—Yes, on the 25th of April 1877.

1635. Last year before this Bill was thought of, so to speak?—Yes.

1636. And that meeting was a meeting of anglers, no matter whether they were members of a club, or otherwise?—Just so.

1637. And I understand you had some 3,000 anglers present, had you not?—Yes.

1638. Who came to a unanimous resolution that a close season was necessary, and that it should even extend to angling?—Yes.

1639. Now do you think that the amateur anglers of Sheffield, I mean those who are not members of clubs, would conceive it any hardship to be told that they should not fish during the close season?—I do not think they would.

1640. Do you think that any intelligent sensible man who was told that he was destroying human food and taking life at a time when it was in process of multiplication, would consider it a very hard thing to be forbidden to take fish in that season?—I think no sensible man would attempt to take them in that time.

1641. The fact is, that you have established voluntary rules amongst yourselves?—Yes.

1642. Which have no force except that of having your own will, to prevent the taking of fish during that season?—Yes.

1643. And you want other people who are less intelligent to be brought under the same rules; is not that so?—That is so.

1644. You have heard something about aquatic game laws; you know, I suppose, that trout and salmon cannot be taken during the close season, can they?—I do not know whether the trout is protected round us.

1645. But it is in a salmon river?—There is no salmon round us.

1646. But in a salmon river trout and salmon are protected?—Yes.

1647. And they are not allowed to be taken with rod and line during the close season?—Yes.

1648. Are not those aquatic game laws just as much as laws for the protection of other fish?—I think the coarse fish ought to be under the same protection.

1649. The one is the gentleman's fish, and the other the poor man's, in fact?—Yes.

1650. How many years have you been a fisherman?—Nearly 50 years.

1651. Have you ever had a chance of catching a salmon?—No; I have seen them in the Trent, but I have never caught one.

1652. You would like the chance?—Yes.

1653. And most anglers would?—Yes.

1654. But it is beyond your means?—Yes.

1655. Because, practically, you must go a great distance, to the mountains; there is no other chance of getting salmon?—Yes; that is so.

1656. Now, with respect to the fish that are caught out of season, do you think those fish of any benefit in the way of food to anybody?—I think not.

1657. They are not wholesome?—The fish might be wholesome before the spawn is fully matured, but afterwards, when it begins to shed the

*Mr. Mundella*—continued.

the spawn, I do not think it is fit for anything except manure.

1658. Do you think that the stopping of netting and of the sale of fish during the close season would have a very good effect?—I do.

1659. Do you think that in itself would be sufficient?—Yes; because I think that the prohibition of the sale of fish would be a great drawback to the very men who go to net it.

1660. But when I said, do you think it would be sufficient, I meant this; supposing netting was stopped, and the sale of fish was stopped, and angling was allowed to go on during the close season, do you think that anything would have any effect on the fish so as to decrease them?—It would have a tendency to do so; but, of course, they do not take the fish in the same quantity by the rod and line as they do by nets.

1661. The first great evil is netting?—Yes, I have seen myself, two years ago, two men in a boat on the Trent who had nearly two tons of fish which they had taken in one day.

1662. In what season of the year was that?—In the month of May, and the net was a complete mass of slime, with spawn and everything attached to it.

1663. What becomes of that fish?—It is taken to the market.

1664. Is there any fish of that kind brought to Sheffield?—Yes.

1665. And it is bought, I suppose, by the poor people?—Yes.

1666. And they buy it because it is cheap, and they do not know that it is unwholesome?—Yes. On the 13th of April I was in the market, and saw a great quantity there. Mr. Alderman Hutchinson accompanied me, and asked me how this Bill was going on, and turned round and said, "Here is a specimen of what they are doing now;" that was on one of the public stalls in the market on the 13th of April. I went to another man there, and asked him what quantity he supposed there was on the stall; he said the man had brought 6 cwt. at first; and there were six other stalls which had the fish exposed at the same time.

1667. The fish is mainly brought from the Trent?—Yes, mostly; some of it comes up from Lincoln, from the Witham, and that way.

1668. Do you know of any being sold for manure?—No; they sell from 2 *d.* to 3 *d.* per pound.

1669. Sheffield is the centre of a vast manufacturing district; apart from the town itself the manufactures extend all down the Valley of the Don and down the Erewash Valley; there is a large population all the way down there, is there not, to Chesterfield, and in the other direction?—Yes; but we do not get much that way.

1670. Now you say that the Sheffield fishers go out as much as 40 miles to get fish?—Yes.

1671. Where do you go to?—To Torksey, on the Trent, and down to Lincoln, on the Witham, and they get down nearly to Boston.

1672. You have special arrangements with the Midland Railway Company for conveying you?—Yes, at cheap fares.

1673. What do they charge you for a day's outing?—Four shillings to Torksey, there and back, and a three days' ticket.

1674. And then you fish in all the canals in the neighbourhood, do you not?—Yes; there is one that runs from Torksey to Lincoln; the River

0.110.

*Mr. Mundella*—continued.

Foss runs from Torksey out of the Trent; it connects the Trent and the Witham together at Lincoln.

1675. Is that a tributary of the Trent?—It is a canal.

1676. But part of a river used as a canal?—Yes, it still retains the name of the River Foss; but it is a proper canal embanked on the side of it.

1677. Now taking the class of men that you know, who go out fishing in Sheffield, and who seek recreation in that way, are they amongst the most temperate of the working class, or are they otherwise?—I think they are the most temperate; if they are fond at all of angling, they will have plenty of time to stick to it. In fact, I have known men that it has made temperate men of, by joining the angling societies; and then if they have taken a delight in angling, if they have gone away on a Saturday afternoon when they have done their work, they will fish whatever they can see at night, and they want to be up as soon as they can see in the morning, and there is not much time for drink; and some of them say it is less expensive going away and getting fresh air than stopping at home.

1678. Than stopping at home drinking?—Yes.

*Mr. W. S. Stanhope.*

1679. With regard to these two tons of fish that you told us you saw caught in the day, would not that do almost as much harm, in your opinion, as all your clubs do in a season?—Yes, it was taken just at the time when they were spawning.

1680. It would be a much greater amount of evil than what would be done by all the angling in the season?—Yes.

1681. The point I want to draw your attention to is this: is there any particular date when your fishing matches and fishing operations take place more than another?—From the latter end of July to about the middle of September; every one of those clubs has what they call a special day in the year to go out and fish for prizes, and their days run from the latter end of July to the middle of September.

1682. Is not Whitsuntide a time that is particularly a favourite time for fishing?—Yes, and we have a public match announced for next Whit Monday.

1683. I find, on bringing back our volunteers to Doncaster, on Whit Tuesday, that I have always had a great difficulty in getting them back into the train; what sort of numbers would go out on Whit Monday or Tuesday fishing in this way?—More than 300 would go fishing, but there would be somewhere about that number fishing in this public match; and the man who is getting that up still advocates this Bill, though it would put his match on one side.

1684. From the 15th of March to the 15th of June would almost always include Whitsuntide?—I think it would.

1685. Would the members of clubs and the people at Sheffield generally, be willing to give up the chance of fishing at Whitsuntide?—I have not heard any one say anything against it.

*Mr. Rodwell.*

1686. What you really want is to have a few good fishing days in the year?—Yes.

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1687. You

*Mr. Guest.*

4 June 1878.

Mr. Guest.

4 June 1878.

Mr. Rodwell—continued.

1687. You have not an opportunity of fishing a great many days, and therefore when you do go you want to have a good day, and plenty of sport for your matches?—Yes.

1688. What is the average weight that a man will kill with rod and line in a day, in an ordinary day; taking an average what would you consider a good day's sport?—They do favourably if they get from 4 lbs. to 5 lbs.

1689. That is at the time when the fish bite freely and have done spawning, and have got over their sickness?—Yes.

1690. Is it not the fact that fish after spawning, when they are sick, are very difficult to catch?—Yes.

1691. Then if you went out in the month of April just after the fish had spawned, and went out in the month of July, when they were all clean and fresh, you would have much better sport in July than in April?—Yes.

1692. Ten times as much?—Yes.

1693. Therefore the number of fish that you would get with rod and line during that spawning time would be small as compared with the number of fish that you would get in the open time?—Yes.

1694. I suppose it would take all the artisans of Sheffield to catch two tons of fish with rod and line?—It would take a good many.

1695. What will a net catch; what will a fisherman, well up to his work, catch in the course of a night; two or three men going out for a night?—They would get some similar weight, from 25 cwt. to 30 cwt. perhaps.

1696. It appears to me that the injury, therefore, that could be done by putting a worm on a hook in this close time would be almost inappreciable compared with the mischief done by nets?—That is so.

1697. You have spoken about these clubs, and you have suggested that they are temperate; it is the fact, is it not, that they all meet at public-houses?—No, there is one that meets at a temperance hotel.

1698. These anglers seem to be pretty good friends of the publicans?—Yes.

1699. And I suppose when you have your matches it winds up with a jollification afterwards?—Yes, very often.

1700. No doubt they do not exceed the bounds of temperance, but still they do good to the house. Can you give me any notion of the proportion of the people at Sheffield who belong to the angling clubs, as compared with those who do not belong to the clubs?—I should say there are nearly as many as what we have in the clubs.

1701. Now, in these clubs you pay an annual subscription?—Yes.

1702. How much?—In some clubs it runs from 6 s. up to 10 s. or 12 s. a year.

1703. Those who belong to these clubs bind themselves by the rules of the clubs?—Yes.

1704. There are as many people in Sheffield who are parties to these rules as there are who are not?—Yes.

1705. Then, for the sake of improving the fishing, you want to bring them all within one law, whether they like it or not?—Yes.

1706. Now, considering that you, who are a member of a club, and another person, who is not a member of a club, have an equal right to fish in that stream, do you not think that it is somewhat arbitrary to say to that man, "You

Mr. Rodwell—continued.

shall only fish according to the rules of the club to which I belong;" is it not somewhat arbitrary to interfere with the rights of a neighbour, and say, "You shall not fish during such and such days, because I want more fish at a particular time of the year"?—It does seem arbitrary; but if that man is possessed of sense, then I think he will not object.

1707. I suppose some men possessed of sense like to go out fishing in May?—Yes; but not too much sense.

1708. You think a man is a fool who wishes to fish in May?—Yes, for these kinds of fish.

1709. You think that as those people have not discretion to guide their judgment, this law ought to be enforced on them?—Yes, I think it is a good thing for them.

1710. I suppose the people who do not belong to the clubs do not go in for the matches?—No.

1711. I suppose to-morrow, or yesterday, or any Sunday in last May, I could have seen plenty of people fishing in the neighbourhood of Sheffield?—Yes.

1712. And would the fish they caught be good?—No, not good.

1713. Do you mean that a perch is not good now?—The perch is supposed to have spawned now, but they are not in good condition yet.

1714. Is not a perch in the month of May in good condition?—No; we suppose a perch to spawn from the latter end of March to the middle of April, and they take more time getting over their sickness than roach or other fish do.

1715. Roach are lively in the month of May, are they not?—They are just about finishing their job now.

1716. What you come here to represent is, that what you want to put an end to is this wholesale destruction by nets?—That is so.

1717. And I suppose you do not much care about angling being stopped during those months?—I should not do it myself, but there would be people who would wish to do it. I say it is only perfectly right that we should bind ourselves under the same law as we wish applied to the nets.

1718. They can do it now, if they choose to join a club?—Yes.

1719. But not joining a club is an indication that they do not want to conform to those rules?—I do not know about that.

Sir Robert Buxton.

1720. You have given evidence as to your experience of fishing. I think there is no river at Sheffield for angling?—The River Don runs through the town, but it is not fit for angling purposes.

1721. Therefore, your experience extends to what water?—To the Keadly Canal and the Trent; and we get a little fish in the River Idle.

1722. As to the Trent, I suppose you go by rail for your fishing there?—Yes.

1723. Therefore, the evidence you give with respect to the members of these clubs would not be applicable to a place where the fishermen were accustomed to go down to the river side, whenever the opportunity offered; you are speaking more of excursions?—They will go this distance every week, and some of them the year round.

1724. The fishermen about whom you have given evidence go a distance from their home; they have no river close at hand?—No.

1725. You

*Sir Andrew Lusk.*

1725. You are aware that, supposing you make any general law, it has always produced some inconvenience to some one?—Some one must suffer.

1726. But for the general good we are obliged to have general laws?—Yes.

1727. And you think that there should be a general law in reference to a close season?—Yes.

1728. Do you not think it is a great political blunder to allow of fish to be killed when they are spawning?—It is.

1729. As well as both cruel and unnatural?—It is; and if what is now proposed had been done some years ago, we should have had better fishing now. Some 20 or 25 years ago, when I used to get a day out, then I could bring home a good quantity, a good basket of fish; and I, perhaps, should have to go 10 days now to get the same weight of fish.

1730. Is the change so great?—Yes, the diminution of fish in the river; the rivers and canals round about us have been so emptied and swept out by this netting, that they are scarcely worth an outing. That is why I answered the honourable Member on the other side that 4 lbs. or 5 lbs. weight we consider a fairish day now.

1731. And 20 years ago what would you have thought?—Twenty years ago you could have got 25 lbs.

1732. And that change you attribute to this system of netting?—Yes, destroying the fish during the spawning season.

*Chairman.*

1733. Partly also it is owing to the great increase of anglers?—Yes, there has been a great increase during that time.

Mr. CHARLES JEREMIAH GREENE, called in; and Examined.

*Chairman.*

1744. You come from Norwich?—Yes.

1745. And you are the secretary of some angling society?—Of the Yare Preservation Society.

1746. Is that an old society?—Twenty-one years old.

1747. And you probably assisted in carrying through the Act of last Session?—Yes.

1748. And you have been in the room, and have heard what Mr. Field has told the Committee?—Yes.

1749. Do you agree with what he recommends?—Perfectly.

1750. Is there any other point on which you wish to express your opinion to the Committee?—Not that I am aware of. The anglers of Norwich merely requested a deputation from the society to attend this Committee, in order to give evidence relative to the prohibition of rod fishing, which we strongly object to, in consequence of the extraordinary quantity of water that we have; our river runs from 20 to 60 yards wide, and from 8 to 16 or 18 feet deep; in some places quite by the side of the bank we have 16 feet of water.

1751. In your opinion, and that of the gentlemen you represent, it is unnecessary to prohibit angling during the close season in Norfolk and Suffolk?—In Norfolk and Suffolk I have fished 0.110.

*Mr. Mundella.*

1734. You were asked whether the anglers generally in Sheffield would be willing for this close season; now, are you quite satisfied in your own mind that the anglers generally, whether members of clubs or not, would be content to have a close season against rod and line?—I think so.

1735. But at the same time you think that a great thing would be accomplished if fishing with a net were prohibited during the close season?—Yes.

1736. And if the sale was prohibited during the close season?—Yes.

1737. And that would do a great deal more than prohibiting rod and line fishing?—A deal more.

1738. It would be a step in the right direction?—Yes.

*Sir Andrew Lusk.*

1739. You belong to the artisan class; now speaking from your experience, and from your general knowledge, do you think that if it was pointed out to them that it was for the good of all concerned to have a close season, they would make any objection to it?—I think not.

1740. You think they are too reasonable for that?—Yes.

1741. Men generally have some reason when they are applied to properly?—I have not heard any exceptions scarcely at all in the town.

1742. You think that that class of men would quietly give in as well as the better class?—By these rules that I have just shown you, we have had a close time ourselves for four months, and worked under that for three years.

1743. I mean those outside the clubs?—I do not think there would be any grumbling among them.

*Chairman—continued.*

the river for 45 years. I have fished it many times at this time of the year, and I have never found them take a bite freely in the spawning time.

1752. You subscribe entirely to the Act of last Session?—Yes.

1753. And to the bye-laws which have been made by the conservators under that Act?—Yes.

1754. Is it your view then that you should be exempted from the operation of this Bill?—Yes.

1755. Excepting so far as those clauses are concerned that relate to the prohibition of the sale of fish, and the use of dynamite?—Yes.

1756. Those two clauses you think would be useful to you in Norfolk?—Decidedly.

*Sir Robert Buxton.*

1757. I will ask you to repeat what you have said already generally, that any prohibition of rod-and-line fishing would be very distasteful to the citizens of Norwich, as far as you are aware?—It would be so.

1758. And you do not think it necessary for the preservation of the fish?—Not at all.

1759. And I think that feeling is shared by the anglers throughout Norfolk generally?—I scarcely know one that speaks against it.

1760. You have been for 21 years connected with the Yare Preservation Society?—Yes.

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1761. And

*Mr. Guest.*

4 June 1878.

*Mr. Greene.*

Mr. Greene.

Sir Robert Buxton—continued.

4 June 1878.

1761. And you have never found any difficulty in putting the provisions of the Act into force?—We have scarcely got it at work yet.

1762. I was referring to the old Act; that, I believe, was passed by the Corporation of Norwich with respect to the River Yare and Wensum?—We have obtained convictions under that Act.

1763. And how have the expenses been met of this Yare Preservation Society?—By voluntary subscriptions; every member subscribes from 5 s. upwards.

1764. I think you have no rule with respect

Sir Robert Buxton—continued.

to the weight or size of the fish caught?—We have not.

1765. And you do not think such a rule would be expedient to be embodied in the Bill?—Quite unnecessary.

1766. Now, in saying that you are against a close time for rod and line, do you say so because you think that the Norwich fishermen go out fishing rather for amusement or for the sake of food?—For amusement, and for food also.

1767. You are not of opinion that fish are unwholesome there during the close time?—No.

1768. Have you tasted them?—Yes. Look at herrings after they are shot; they are good.

Mr. HENRY JACKSON, called in; and Examined.

Mr. Jackson.

Chairman.

1769. WHERE do you come from?—From Birmingham.

1770. Do you represent any society of anglers?—Yes.

1771. An amalgamated society?—Yes.

1772. That is to say, you come here deputed on behalf of the amalgamated society which represents the various fishing clubs of Birmingham?—Yes.

1773. We have heard that these clubs are very numerous in Sheffield; are they, speaking generally, as numerous in Birmingham?—No, very few in comparison.

1774. To what extent are there fishing clubs in Birmingham?—About 10.

1775. And how many members?—There are about 3,000 anglers, but not all belonging to the angling clubs.

1776. How many are members of the clubs?—I consider about 300.

1777. You have got about 300 members in your 10 clubs in Birmingham, you think?—Yes.

1778. I gather from that that there is not a very great extent of water in the neighbourhood of Birmingham accessible to anglers?—No, it is all subscription water.

1779. There is no public water?—No, they are all by subscription, no public waters.

1780. Is it the practice of these clubs in Birmingham to hire water, and then having hired it, to keep it entirely to their own members, or to charge so much a day to anybody who likes to come?—Yes, they do that.

1781. You let it out at so much a ticket?—Yes; I represent one club which has been established 25 years, and we have to take water on the Trent; we have six miles of water on the Trent.

1782. You have control over six miles of water, and having that control, have you established a close season?—Yes.

1783. Then, so far as you are concerned, this Bill is unnecessary?—We establish a close season for pike and perch.

1784. Only for pike and perch?—Yes.

1785. But it has been within your power to establish a close time for all the fish in your water?—Yes, but we have not done that except for pike and perch.

1786. Do you consider that it is not necessary except for pike and perch?—We consider it necessary for all fish.

Chairman—continued.

1787. Then why have you not had a close time for them?—We are only one society.

1788. The water over which you have control is in connection with other parts of the river which are not within your control?—No, because other societies represent a different part of the Trent.

1789. I mean that your water has a natural connection with other streams and rivers to a considerable extent, and it has been your view that it was useless to have a close time for these fish in your waters, because other people would not do the same thing?—Yes.

1790. And with that view you come here and tell the Committee that you think it would be desirable to establish by Act of Parliament a close season for these freshwater fish?—Yes.

1791. What do you say with reference to having a close time for rod and line?—I would have it for rod and line, and nets, and all, excepting in ornamental and private waters in private parks.

1792. That is to say, leaving it to be defined; such waters as have not natural connection with the Trent, for instance?—Yes.

1793. And would you say on this point, have you any idea whether it would be a possible thing to carry out in Birmingham?—Yes.

1794. I suppose in Birmingham there would be no difficulty, for that reason among others, that there is no public water whatever, and therefore nobody can fish, unless he gets permission or license from an angling club?—Just so.

1795. Is it the practice for the citizens of Birmingham to go out any distance on holidays to distant public waters to fish?—Yes.

1796. Are there many such public waters to which access is free within easy reach of Birmingham, on a Bank holiday or other day?—Yes, the Worcestershire way down to the Avon and the Harrow.

1797. Have you considered what would be the operation of such an Act as this, if that was prohibited?—Yes.

1798. Have you had anything of the nature of a meeting in Birmingham, such as was described by the witness from Sheffield?—Yes, a publicly advertised meeting.

1799. Not consisting merely of anglers members of clubs, but of persons generally, who take an interest in fishing?—Yes.

1800. And at that meeting was the question of having a close time discussed?—It was the principal question.

1801. Was



*Chairman*—continued.

1801. Was it understood at that meeting that what you meant by advocating a close time, was a close time for rod and line, as well as for nets?—Yes, for both.

1802. And that being understood, the meeting which you have described was in favour of it?—Yes, there was only one gentleman who voted against it.

1803. Was it a large meeting?—Yes.

1804. I suppose, taking what you would call a large meeting in Birmingham, it was a very large meeting?—Considering that there are not more than 300 members of the clubs.

1805. Then it was not in fact a general meeting, but a meeting of members of clubs; is that your meaning?—It was attended by different societies and anglers.

1806. Was it attended by other persons not members of clubs?—Yes, they were anglers and members of clubs.

1807. Is there much freshwater fish sold in the market of Birmingham at all seasons of the year?—Yes, at all seasons of the year.

1808. Have you yourself seen much, what you consider unwholesome, fish sold?—I have.

1809. The last witness said that he eat those fish at all seasons of the year; do you do the same?—We cannot do that at Birmingham.

1810. These fish are not fit for food, in your opinion, at that season?—No.

*Mr. Mundella.*

1811. The meeting which was called, you say was called by advertisement?—Yes.

1812. And it was called for anglers, without mentioning whether it was for members of clubs or otherwise?—Yes.

1813. And it was attended by persons, both members of clubs and anglers not members of clubs?—Yes.

1814. And all were agreed, with a single exception, in favour of a close time, both for rod and line and nets?—Yes.

1815. Where is it that you go to on the Trent; what part; is it between Tamworth and Fazely?—Below there; Walton-on-Trent is one place.

1816. How long have you been a fisherman?—Thirty years.

1817. Do you think that fish are becoming fewer in the river at present?—I do.

1818. What do you attribute that to?—To poachers with nets.

1819. You think that if we prohibited netting during the close season that would be a great thing in itself?—Yes.

1820. And is it true that fish can be taken by nets very much easier during the spawning time than at any other time of the year?—It is so.

1821. They are all over the shallows, then?—Yes.

1822. And it is very easy to net them?—Yes.

1823. When they are clean they go into deep water, and it is very difficult to net them?—Yes.

1824. And, consequently, many more fish are taken by nets during the spawning season than during the season when the fish are wholesome and clean; that is so, is it not?—Yes.

1825. Have you talked to any person about this Bill: to anglers?—I have.

1826. And have you found them generally approve of a close season?—I have found a little

*Mr. Mundella*—continued.

objection, some few objections, on the part of those who did not attend the meeting.

1827. What was the nature of their objection?—They wanted it to keep open till 30th April; through March and April.

1828. And close it when?—Closing on the 15th June; but of course it was impossible to draw the line.

1829. Do you mean to say that they wanted a close season to be only for six weeks?—Yes, only for six weeks. There were very few gentlemen in favour of that, but I found some few in favour of it.

1830. But March and April is just the season when the fish are in the act of spawning, is it not?—Yes.

1831. In fact, most of the spawning is done in the month of April?—Yes; I did not consider them practical anglers.

1832. But amateurs?—Amateurs.

1833. Do you think, then, that the fishermen of Birmingham and the neighbourhood, as far as you know, would be willing for a close time for rod and line as well as for nets?—I do.

*Mr. Rodwell.*

1834. Yours is the only society that has got any close time at all upon these waters?—Yes.

1835. For pike and perch only?—Yes.

1836. And no other anglers have any other close time?—No.

1837. I suppose it would be competent for them to have made a close time if they thought proper?—Just so.

1838. Can you account for the fact that they have not?—I cannot, except it was selfishness.

1839. Other people will not do it, I suppose, because they think that they get more amusement by having it open all the year than not?—Just so.

1840. And there is a difference of opinion about it?—Yes.

1841. Do you ever fish in any other months of the year yourself, except June, July, and August?—Yes.

1842. Always have?—Yes, always, except in the interdicted time.

1843. Have you ever fished in any other waters than the water that belongs to your club?—Yes.

1844. At any time then?—No.

1845. When you cannot fish in your own waters, do you fish elsewhere?—No, I have always kept to the law.

1846. Are there not a great many people in Birmingham that go out to fish for a couple of hours; not for a regular day, but after business is over in the town, they go out for an hour's fishing in the evening; people of that class?—They do.

1847. Should you not think it rather a hardship to say that they should not have that innocent amusement for an hour or two, when they happen to have a spare hour in the month of April and May?—It is a hardship, I acknowledge.

1848. Do you think that the benefit to be derived from prohibiting people indulging their tastes in that way would not exceed the benefit which the rest of the public would derive from the preservation of the fish; that the hardship for those people would be so great as to render it impolitic to prevent their exercising their

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*Mr. Jackson.*

4 June 1878.

Mr. Jackson.

Mr. Rodwell—continued.

Mr. Arthur Bass.

4 June 1878.

tastes in that way, for the purpose of increasing the fish for anglers?—I do.

1849. I am told by an honourable Member that I did not make myself understood, so I will put the question in another form; you say it would be a hardship on several people if they were prohibited from fishing in April?—It would.

1850. Do you think it is worth while inflicting that hardship upon your neighbours and friends for the purpose of securing better fishing for other people, for three months in the year; I am speaking of angling?—Yes.

1851. You think that they would have no reason to complain?—Yes.

1852. Why should they give up their pleasure for the sake of other people's pleasure at other periods of the year?—Because I think they would benefit by it in the course of time.

1853. But suppose they say that they prefer going out for an hour or two, do not you think it would be very hard to prevent it?—You see they would have the privilege of going to private gentlemen's waters, if they thought right.

1854. You would drive them to private gentlemen's waters?—Yes.

1855. But, in point of fact, I suppose what you are driving at really is, to prohibit netting?—Just so.

1856. Do you care much about the other point, considering that at this time of the year you say the fish do not bite freely after and during spawning; do you think that there would be any serious damage done to the multiplication of fish, if people are allowed to angle?—Not serious damage, perhaps.

1857. What water have you where people can go to for an hour or two?—At Sutton Coldfield.

1858. A brook there, do you mean?—No, a pool.

1859. You have no running water but the Tame?—No, and that is polluted.

1860. The water you would fish in is between Walton and Branston?—Yes.

1861. And that is about 30 miles from Birmingham?—Twenty-seven miles from it.

1862. So that it is an expensive business to get there for these people?—Yes.

Sir Andrew Lush.

1863. You were asked if it would be a hardship upon people, who went out for an hour or two to fish in Birmingham, to prohibit them from angling during the close season; are there any people who go out for an hour or two in Birmingham to fish?—None belonging to the society.

1864. How far have they to go?—Seven miles.

1865. And is there any quantity of fish there?—Not a great quantity.

1866. It would not be worth their while to go for an hour or two?—You can get by train and have an hour or two's fishing.

1867. Do not you think that the good which the great mass of the people would receive from having a close season would quite compensate for the hardship of the three months of close season?—Yes.

1868. That they would get more pleasure in one way than the other?—Yes.

Mr. PHILLIP GEEN, called in; and Examined.

Mr. Geen.

Chairman.

Chairman—continued.

1869. You are the Chairman of the London Central Association?—Yes, the Amalgamated Association of the London Angling Societies.

1870. Is it the case that you are entirely irrespective of, and have nothing to do with, the Thames Angling Preservation Society?—I am one of the committee of that.

1871. Your society I mean?—That is independent entirely.

1872. What view does your society take of the proposals contained in this Bill?—We are unanimous in favour of a close time, and we approve of the principle of the Bill.

1873. Do you mean in favour of the time laid down in the Bill, or as has been proposed from the 15th of March to the 15th of June?—From the 15th of March to the 15th of June we should prefer.

1874. You think that one uniform close season for those three months would meet all difficulties?—I think it could be more effectually carried out.

1875. Are you in favour of prohibiting angling, the use of rod and line during those three months?—It is very essential in or near London, or we shall soon have no fish.

1876. The members of your society, I suppose, have rules already in force amongst themselves, which do make it practically a close time for those three months?—In every club they see the necessity for that individually, without any law.

1877. But you think it is necessary that there should be, by statute, a close time against angling?—Undoubtedly, because there are amateur anglers who would go out and take the fish off the spawning beds. I purposely took a quantity of roach on Saturday, which I would have brought here before the Committee had I known that I was going to give evidence here to-day. They feed ravenously while they are on the spawning beds; they are simply *en masse* there.

1878. Do you consider them good to eat?—No, the next thing to poison I should say. I know a case in point, in Dagenham Lake, where a quantity of bream were taken out of the lake and given to several friends, and they had to send for the doctor, and he said that they must take the consequences if they would eat such things.

1879. You speak generally of the Thames; that is the river that your experience applies to?—The Thames, the Mole, the Colne, and the Wey.

1880. In your opinion the rules that exist under the jurisdiction of the Thames have been very useful in preserving the fish in the river?—Undoubtedly; we should have no fish by this time else.

1881. And there is no difficulty in carrying them out here?—Not the slightest; you might go for 20 miles on the Thames and not see a single rodster.

1882. Have

*Chairman—continued.*

1882. Have you any experience of other populations throughout the country than that of London?—No, no great experience; my other experience is in the West of England, where there is only trout.

1883. Now let us take the Thames; do I understand that it is your decided opinion that the rod and line can do great damage during the close season?—I believe it to be absolutely essential for the welfare of angling in the future that there should be an absolute quiet of three months for the river and the fish, free from trouble of any description, either nets or rods.

*Mr. Mundella.*

1884. We have had evidence from witnesses who state that when the fish are spawning they will not take the bait; is not that quite contrary to the evidence which you have just given?—I have a letter signed by several members that will vouch for this fact, that these roach, to which I alluded just now, were taken from the spawning bed; some of them had partially shot their roe, and others were on the spawning bed for the purpose, and they were taken on Saturday, the 1st of June, in this condition.

1885. And it is very easy to take them then, because they are to be found in shoals?—I might have taken 40lbs. if I had chosen, but I took 6lbs.

1886. You took it for the purpose of ascertaining these facts and bringing evidence here?—Yes, the roe was still in the majority of them, and in other cases it was partially shot.

1887. That would apply to perch and barbel?—To a great number of fish.

1888. There is not the least doubt about perch and jack taking the bait freely?—At the commencement of June they feed ravenously; having just got over the spawning they are really ravenous then, more than any other month in all the year.

1889. You think that for the sake of increasing the fish in the river, and the supply of food, it is absolutely necessary to prohibit fishing by rod and line, as well as net, during that season?—Such is my opinion; and every angling society in London has had the opportunity of discussing it in their own rooms, and sending delegates to a general meeting; and when the resolution was put, that it was desirable to have a fence month, it was carried without a dissenting vote.

1890. How many anglers do you represent here?—About 3,000.

1891. Now there is a distinction between members of angling societies and amateurs who are not members of angling societies; do you think that the amateurs would consent to the prohibition of rod and line, as well as the professional anglers?—We have the best evidence of that, inasmuch as you may go for 20 miles on the Thames and not see a single rod during the fence months; and this is merely a local rule of the Thames Conservancy; and if that is abided by here, if it were the law of the land, every angler would only be too willing to abide by it.

1892. Practically, the principles of this Bill are in operation on the Thames at this moment, and have been for some years?—They have been, and no difficulty is found in enforcing them.

1893. And there is no complaining on the part of the general public about it?—None whatever; every angler in London subscribes something, 0.110.

*Mr. Mundella—continued.*

either directly or indirectly, to the Thames Angling Preservation Society, that they may enforce that very law as against themselves.

1894. And you are desirous of the provisions of this law being made general?—Undoubtedly.

1895. And you think the sale clause a very valuable law?—Very valuable, because you cannot catch a poacher in the act; but if he found a difficulty in getting rid of those fish you would catch him.

1896. Making the sale of fish, or having them in possession for the purpose of sale, illegal, would supplement your rules already in existence, and it would tend to promote the culture of fish?—Yes; and I think also if it were possible to have that law, it ought to be an offence to offer for sale under-sized fish at any time during the year. There are portions of water in or around London where the copyholders of the district hold a charter that enables them during certain months of the year to net the water to take out fish for the purposes of food; but they take out little trout of an inch in length, and do not take the pains to put them back again, and then they hawk them round the districts; they are little fish, which they ought to be ashamed of taking; and I think that ought to be an offence for which they ought to be punished at any time of the year.

1897. Is it possible for an Act of Parliament to lay down the exact size of fish of every description that should and should not be taken?—There is a difficulty no doubt. We have strict rules in the clubs, and perhaps that might meet the case.

1898. But you think that an Act of Parliament declaring certain months to be fence months would educate a good many amateurs as to the importance of not fishing during those months, and that it would be generally acquiesced in?—I think the angler is beginning to be ashamed of himself if he is seen to carry a rod during the fence months in London. I should have that feeling unless I were a trout fisherman.

1899. And you think that, if other people were as well acquainted with the results as yourself, the general feeling of the community would be against it?—Undoubtedly it is wrong.

1900. You say that the food is unwholesome; have you any evidence to show that the fish is unwholesome during the spawning season?—I told you the case of a friend of mine, and a number of his friends, who were almost poisoned with these bream from Dagenham Reach, and the doctor told them that persons who would take fish in the spawning season, and eat them, deserved to be ill.

1901. Of course, fish are good when the roe is in them; but it is before the roe is shot, or before it is matured, that they are not good?—Yes; but I think the law is already recognised that an unclean salmon is unfit for food; and if an unclean salmon, why not an unclean roach or chub.

*Mr. Dillwyn.*

1902. Of course, connected as you are with fishing clubs, you know very well what the general opinion is?—Yes.

1903. Have you, when you have been in conversation, and have talked generally with people on the subject, heard any dissatisfaction expressed generally by the public with the close

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*Mr. Geen.*

4 June 1878.



Mr. Geen.

4 June 1878.

Mr. Dillwyn—continued.

time imposed on the River Thames?—They are all in favour of a close season; some would like the whole of March open and the whole of June closed; but all are in favour of a close time.

1904. Do you believe that the readiness with which they obey the law has been due to their believing the reasonableness of the law?—They see the necessity for it in the interest of their own sport.

Mr. William Lowther.

1905. Did you know this doctor who attended this sick person?—Yes.

1906. Was he a fisherman?—Yes.

1907. Very fond of fishing?—Yes.

Mr. W. S. Stanhope.

1908. How are these bye-laws enforced now on the Thames?—The Thames Conservancy have a law, which they have delegated to the Thames Angling Preservation Society, and they act under it.

1909. Do they enforce a penalty?—Yes; they summon the people before the magistrates of the district, and they get fined for the first offence.

1910. Is there any provision for getting bait for angling for trout?—Yes; but it is generally understood that a net used for that purpose should be a casting net. When a witness spoke of an inch net that would take everything out of the river.

1911. Is there any feeling in your clubs being allowed to fish at Whitsuntide, supposing that the 15th of June was fixed as the date at which the close time would terminate?—We have no desire to fish during the winter months; we really must restrain our desire to be on the banks of the river during those months.

1912. I ask you the question, because Whitsuntide would often be before the 1st of June if that were the fixed time, but the 15th would almost always cover it?—We fish all the year round, not on particular days, because it fits to have the particular day with the particular club; it is not a particular day with the other 79 angling societies, or whatever the number might be.

Mr. Rodwell.

1913. What bait did you catch these unhappy roach with?—Caddis bait and gentles.

1914. You talked of these fish being unwholesome; did you ever know these fish condemned by the inspector of markets for instance?—No; in London, the market where these coarse fish are offered during the fence months is down Petticoat-lane, and I do not think the police are fond of going there.

1915. But they are eaten as general food, by a class of Her Majesty's subjects?—The Jews eat certain unclean fish, and we cannot help it.

1916. There is a very celebrated case of a Jew's feelings being very much like a Christian's

Mr. Rodwell—continued.

feelings; have you any idea that fish will agree with Jews which will not agree with Christians?—My notion is, that nature has ordained that it is unwise to eat any food when it is unclean.

1917. But are not Jews within the law of nature?—I am speaking of fish now.

1918. I am speaking of Jews?—I do not know what the sufferings of the Jews may be.

1919. Is it not a fact that a great quantity of this fish, which you condemn almost as poison, is the staple food of the Jews in the east-end of London?—During certain seasons, they almost live on it; but, if a man is fond of unclean fish, I would like to keep him on it for six months.

1920. The hog is unclean to a Jew, but not unwholesome on that account?—I really believe these fish are unwholesome.

1921. To Christians?—To anyone, Jew or Christian.

1922. Do you not think that the case of rivers in the neighbourhood of large populations, like London, Sheffield, or Birmingham, stands in a very different position with reference to angling from country streams, where there is a small population, and small country villages and towns?—As far as my knowledge goes, I believe that a close time for angling, as well as for nets, is necessary generally for the country. That is my opinion as far as I have been able to ascertain it. I know that one of the angling societies in London has been in communication with all the angling societies in the United Kingdom.

1923. I am putting out of consideration angling societies, because there are a far larger number who do not belong to angling societies; do not you think that their interests and amusements ought to be considered?—I think that you would be considering their interests by enacting a close time.

1924. Do you look upon these restrictions as for the purpose of affording amusement or food?—Both combined.

1925. Are fish which are caught with the rod and line sold?—Either consumed by the family, or given to a friend.

1926. But they are not sold?—No; because that would imply that a man went out angling for profit, and I do not think it would pay. From the fact of one of the members of the family having caught them I think they are eaten with a little more relish.

1927. What do you consider, as an experienced angler, is a good day's sport in pounds weight?—As a good take, I get frequently 30 or 40 lbs.; but an ordinary angler has not the same opportunities as I have.

1928. Would 3 or 4 lbs. be about an average take?—Yes.

1929. Do you know the River Lea?—Mr. Ghurney, the next witness, will be able to speak more precisely upon that.

Mr. RICHARD GHURNEY, called in; and Examined.

Mr.  
Ghurney.

Chairman.

1930. ARE you the secretary of any fish preservation society?—I am the Secretary of the United London Anglers' Central Committee, amalgamated with the River Lea Preservation Association, combined.

1931. You come, then, to speak to us chiefly of

Chairman—continued.

the River Lea; that is the river from which your experience is mainly derived?—Yes.

1932. Have you much experience and close knowledge of the River Lea?—Yes, for between 30 and 40 years.

1933. I gather from what you say, that there is

*Chairman—continued.*

is a Preservation Association for the River Lea?—Yes; we likewise have a conservancy.

1934. Is the association entirely a voluntary association?—It is subscribed to directly and indirectly by the anglers of various societies connected with our association.

1935. What control have you over the River Lea?—From the River Lea Conservancy we have six bailiffs allowed under the seal of the Conservancy to watch that water; they are voluntary offices, taken up by anglers and members of the societies, who watch that river once or twice a week from one end of the water to the other; that is done by our bailiffs, voluntarily, and their assistants; all the expenses they charge us to is our railway fare; we cover the distance from one end of the river to the other in that way.

1936. You have bye-laws?—Yes.

1937. Those derive their force from the powers of the Lea Conservancy?—Yes.

1938. That is to say, they are statutable?—Yes.

1939. You are at no expense in carrying out those bye-laws, because of the voluntary assistance you get from members of the association?—With the exception of netting, and then a certain amount is allowed to our bailiffs, or their assistants or the police; we give rewards to the police on conviction; we are assisted by them at any time we require them.

1940. Is your fence season similar to that which exists on the Thames?—It is similar. Some two years ago it was thought advisable that we should open up the month of March for all fish, with the exception of trout and jack, and by petitioning the Conservancy Board of the River Lea, they granted us that power. Our close time for jack is from the 1st of March to the 1st of August; for other fish from the 31st of March to the 1st of June, with the exception of trout; trout, of course, are much longer.

1941. Then looking at the close time that is proposed in this Bill, would you or would you not agree with its being amended, to being from the 15th of March to the 15th of June?—I would decidedly accept that.

1942. Even if it were to apply to the River Lea also?—I am quite sure that the Conservators of the River Lea will conform.

1943. I understand you to say that you consider such a close time as this is necessary for fresh-water fish generally?—Yes.

1944. And that it is desirable to prohibit angling as well as netting?—Yes; and netting at any time, with the exception of a small casting net during the jack fishing season, and a small round minnow net.

1945. You do not mean, do you, to suggest such a law for the rest of England?—As far as fresh-water fish are concerned, I think it would be beneficial.

1946. Do you mean, that in the Norfolk Broads, for instance, such a law should be enforced?—I take them to be brackish water; the consequence is that they have a supply partially from the sea.

1947. But we have heard a great deal about large takes of fish by the net, and the way in which they are landed and sent to the market. Talking now, not of the close season, but the rest of the year, do I understand you to say that for the sake of angling you would prohibit the use

*Chairman—continued.*

of the net?—I am very much against netting for fresh water, and I am sure that the majority of the London anglers are very much against netting.

1948. Are you familiar with any other rivers?—No, not out of the suburbs of London, some 20 or 30 miles out.

1949. And you have no difficulty whatever in the Lea in carrying out these rules?—No, we have not; they are generally accepted by members of the clubs and non-members; all parties that call themselves anglers are quite in favour of the fence months in the river.

1950. You would attach importance to the prohibition of sale?—Yes, that is of great importance to us.

1951. And you would prohibit netting during the close season, certainly?—Decidedly.

1952. Those are the principal objects which you think ought to be aimed at?—Yes.

1953. But you think that besides that it is desirable to prohibit angling?—I think it is desirable to prohibit angling, decidedly, during the months named, for the reason that our waters would get distressed if the fish were taken when spawning.

*Mr. Mundella.*

1954. May I ask what you mean by "distressed"?—I mean that we should lose our supply, and get short.

1955. Are you a working man yourself?—Yes.

1956. What trade are you?—A French polisher.

1957. Are many of the fishermen who are connected with these clubs working men?—Most of them, and small tradesmen.

1958. Do you think that the fishermen of London, amateurs or otherwise, would generally accept a close season?—I am quite sure of it, with a great deal of satisfaction and pleasure.

1959. You say that you preserve the Lea by voluntary bailiffs?—By voluntary bailiffs.

1960. That is to say, you take it in turns amongst you; you give up a certain amount of time in your turn to look after the water?—During the fence months.

1961. And you have no remuneration for that beyond the payment of your railway fare?—During fence months; but when men are watching for the netting there is a certain sum allowed.

1962. But during the fence months you do that watching out of pure love for the thing, and you constitute yourselves, so to speak, special constables to prevent fishing during the fence months?—Yes; I am pleased to state that we have had very little trouble this last two years in that respect.

1963. Is it not your opinion that if this Bill became law, anglers throughout the country generally would constitute themselves voluntary bailiffs, that they would act as special constables, so to speak, to prevent the infringement of the law?—I feel quite sure they would; I think the anglers themselves, when an example was set them, would determine to prevent it, if they possibly could, by persuasion or by other means.

1964. How long have you been a fisherman?—Forty years.

1965. Do you agree with the last witness, that coarse fish feed ravenously during the fence months?—Yes, roach and barbel particularly; all

*Mr. Ghurney.*

4 June 1878.

Mr.  
Ghurney.

4 June 1878.

Mr. Mundella—continued.

all fish, you may depend upon it, are half silly just in the process of spawning; and any of you gentlemen may see that by examining your own fish lakes; you will see the carp and tench rolling up, and you can take them up with your hand, and you cannot do that at any other time. I have seen instances where they have been clustered so thickly together that parties have hooked them with the hook; but at the same time they will take the cad bait and the gentle when they are clustered together previous to their spawning.

1966. During the spawning season, the provision which nature has given them for avoiding being taken becomes inoperative, and seems to lie dormant, does it not?—Yes; just the very opposite to what they are in a healthy condition.

1967. I suppose it is during that season that the nets can do the most mischief?—Decidedly.

1968. And it is not only the number of fish that they take, and the amount of spawn that they destroy in those fish, but also they destroy the spawn of other fish than those which they take?—Yes, it is drawn on to the land and left there.

1969. You think it would be a great advantage in itself to stop netting during the spawning season?—Decidedly so.

1970. Out of the spawning season would you stop night netting?—I would not allow netting at all.

Mr. Rodwell.

1971. You would not allow night netting or day netting either?—No.

Mr. Dillwyn.

1972. You object to it because you know that in a small river it may clear it out?—Yes; it is not sport at all, and the food it produces is very trifling.

Mr. Mundella.

1973. Putting aside the whole question of angling, and turning to the consideration of an increased supply of food, do you think that if we are to have an increased supply of food we should have a close season?—I think so.

1974. And that some restrictions should be put upon nets, both in and out of season, to keep that supply of food?—Yes.

1975. You believe that our rivers and waters and canals generally, might be made to contribute very largely to the supply of food, do not you?—I am sure they might.

1976. And you think that whatever regulations were laid down by Parliament for accomplishing that object will meet with the support of the fishermen generally who will endeavour to carry out the Act, and enforce it?—I feel quite sure, speaking as the representative of a large body, that that is the case.

Mr. Rodwell.

1977. You are acquainted with the River Lea; there are thousands of people, are there not, who go down to the River Lea on Sundays from the Finsbury district to fish?—Yes.

1978. Are those persons mostly members of the angling clubs?—Some are.

1979. But a great many look to me to be persons not in the artisan class; but costermongers, and people of that sort?—Yes, that is so.

Mr. Rodwell—continued.

1980. Where do they fish?—That I cannot tell you.

1981. They do not fish in the Lea, do they?—We have no power of preventing them in the season; mostly that is a public river.

1982. Do you happen to be on the Lea on a Sunday yourself sometimes?—Every Sunday.

1983. Are there not thousands of people in the lower class of the population that go down and have a day's fishing on the River Lea?—Yes, but most of the class that you are speaking of would be found between Lea Bridge and Tottenham, which is like a fair on Sunday; but you will find very few club anglers there.

Mr. Dillwyn.

1984. Do they catch large fish there?—They do not; it is more for the amusement that they go there. You must not take every man to be an angler that you see with a rod in his hand.

Mr. Rodwell.

1985. If they do not catch many fish, perhaps they catch a nosegay and some buttercups, which they bring home?—Yes, no doubt.

1986. All these people would be stopped if this law came into operation, would they not?—So they would in that district if it did not; they are already stopped.

1987. But those people, of whom I am now speaking, are not stopped, because I see them fishing?—They may go to some little ponds in the forests where they take their wives and children; we should have no objection to that.

1988. Do they not fish on the streams, in the old Lea, for instance?—Not during our fence time.

1989. There are portions of the River Lea not under your jurisdiction, are there not?—Only some of the back waters.

1990. Taking it as far up as Broxbourne, is there not a portion there?—There is a portion of back river from Cheshunt; and there is back-water at Hertford and between Ware and St. Margaret's; but the back-water is private property, rented by different parties.

1991. You have great numbers of people who come there, and fish within a few yards of each other?—Those that you see are mostly persons fishing in small ponds on the forest; they catch efts and beetles.

1992. And fish too?—Sometimes.

1993. They call themselves fishermen, do they not?—I daresay they do.

1994. If the River Lea is preserved in the way you describe it, what is the necessity for this proposed law?—Our members of our clubs, and the London anglers, are not confined to the River Lea; if this Bill became law, we should have the assistance of the back-waters that do not now conform.

1995. You want to control the owners of the back-waters, if I understand you?—To a certain extent.

1996. You said that you had no difficulty in preserving the river, that you had a number of volunteer watchers or keepers who preserved the River Lea during the fence months?—Yes.

1997. Have you any knowledge of the habits of people living in the rural districts of England, or is your experience confined more to London?—It is confined to London.

1998. You would not venture an opinion, therefore,

*Mr. Rodwell*—continued.

therefore, as to the practicability of such a system in the rural districts?—Only from communications that we have from time to time. My idea is that in all parts a fence time would be acceptable.

1999. I was thinking of the difficulty of carrying it out; you would either have to have a volunteer force, or a paid force to carry out the law?—Would not it be possible for rivers to come, as is the case in our Lea Conservancy Act, under the jurisdiction of the police. They are at liberty on the Lea to take a man into custody if they detect him netting or having fish in his possession.

*Sir Andrew Lush.*

2000. You act under the Conservators of the River Lea?—I do.

2001. And they have power from the very mouth of the Lea up to Hertford, I suppose?—To one mile above Hertford town.

2002. They have entire power over the Lea?—Entire power over the navigable part.

2003. And you act under them, as you have already told us?—Under them.

2004. This law, which you have with reference to the Lea, is substantially what is proposed in this Bill now before us?—It is exactly what we want for the public for all waters.

2005. Have you found any difficulty in working that law on the Lea?—We have not; it requires a little watching, as far as the netting is concerned, the same as all rivers.

2006. But the mass of the London people have no objection to the close season?—Not the slightest, but they are all in favour of it and have been for years past.

2007. It is the same law as applies to London?—Yes.

2008. And therefore you have experience of how a law of this kind has worked?—Yes.

2009. I suppose the people round London, who practice this sport, are the same kind of men as the people in other parts?—Yes; they vary from the working men up to the little tradesmen; and the gentlemen, and so on, mixed with us at times.

2010. You anglers are mostly a quiet, gentle sort of men?—Yes; there may be some rather rough ones in the number.

2011. But you have no difficulty even in getting the rough ones right?—We generally find that after a time a man has become a convert by a little persuasion.

2012. After he becomes a fisherman he becomes gentle and kindly?—Yes.

2013. Looking at that from your experience, do you think that the present system is a wasteful system, because you waste so much fish by taking them in the spawning time that you might otherwise have?—Decidedly; I consider that a wonderful deal are destroyed by that means, fish that are taken when ready to spawn, and in the spawning season.

2014. And, politically considered, it is a great blunder to do that?—I think it is, to allow it to be carried on.

*Sir Andrew Lush*—continued.

2015. Because you waste so much fish that might come in for food and for sport?—Yes.

2016. And this law which you have round London, you think, might be easily extended to other places without causing any inconvenience?—I think so, with a great amount of benefit.

*Mr. Mundella.*

2017. The honourable and learned Member for Cambridgeshire spoke of thousands of men who go down on Sundays to the neighbourhood of Tottenham and the River Lea; that is an accurate description of the numbers that go there?—In the height of the summer.

2018. You say that they cannot fish in the Lea?—Not from the 31st of March to the 1st of June.

2019. Where do these men fish?—There is a back private water at Tottenham which the party who has it finds a great source of profit during that time; he charges a shilling for a day's fishing, and sixpence for half a day's fishing, and several people go down there; but those are not the people that the honourable Member was speaking of in his question just now. You will find them further in the forest, where there is an abundance of little ponds and ditches that contain a smaller description of fish not known to the river, small carp and tench, and among them beetles.

2020. And they catch perhaps, as the honourable and learned Member said, a nosegay and buttercups, and come home with them?—Yes.

2021. There is nothing in this Bill, if it becomes law, to prevent their having their day out in that way, is there?—No.

2022. Because they do not fish really, as you say, in the streams for fish?—No.

2023. With respect to angling during the spawning time, I want to ask you a question about that; you say that fish can easily be taken during the spawning season with a rod and line?—They can.

2024. Now, it has been suggested that more spawn is destroyed by men fishing than by the fish that they take during the spawning season?—Decidedly so; the whole of the spawn contained in that fish that they take is destroyed and lost.

2025. But it is said that by wading and disturbing the weeds and banks they destroy a great deal of spawn, as well as the spawn in the fish which they actually take?—Yes.

*Mr. Rodwell.*

2026. Do they wade in the Lea?—No, not in many parts.

*Mr. Mundella.*

2027. In most rivers they wade, do they not?—No, not in these parts. For dace sometimes you will find some parties up to their middle with a fly, but not in the ordinary roach fishing or barbel fishing; it is as often from a punt as from the bank on the Thames.

*Mr. Ghurney.*

4 June 1878.

*Friday, 7th June 1878.*

MEMBERS PRESENT:

Mr. Arthur Bass.  
Mr. Bristowe.  
Sir Robert Buxton.  
Mr. Dillwyn.  
Mr. Dodds.  
Mr. Stafford Howard.  
Mr. Isaac.

Mr. William Lowther.  
Sir Andrew Lusk.  
Lord Muncaster.  
Mr. Mundella.  
Sir Matthew Ridley.  
Mr. Rodwell.

SIR MATTHEW WHITE RIDLEY, BART., IN THE CHAIR.

Mr. FREDERIC FANE, called in; and Examined.

*Mr. Fane.*

7 June 1878.

*Chairman.*

2028. You live near Ringwood in Hampshire, do you not?—I do.

2029. You are a land agent, and, I believe lessee of several miles of the River Avon?—Yes, I am agent for my nephew's property there where I live, and look after it, and I have also been lessee of the water.

2030. To what part of the River Avon do you refer?—It is the portion of the River Avon not very far from the sea.

2031. Is the River Avon specially prolific in what we have been calling coarse fish during the course of this inquiry?—I think more especially so than any river that I know, with the exception of the river which is joined with it in our conservancy board, which is a river called the Stour, and which runs out of Dorsetshire, and which is joined with it.

2032. Besides having been very prolific in coarse fish, there is also a large quantity of salmonidæ, and grayling, and also, I believe, of eels?—Yes, we have very fine salmon, and most parts of the river supply very large trout as well as all the commoner sorts of fish, such as very large pike, tench perch, roach, and all the smaller fish, as well as trout and grayling, besides the salmon, and a few sea-trout; in fact it is a thoroughly prolific river in every description of fish.

2033. You can speak also, can you not, from your own knowledge of all the rivers in Dorsetshire and Hampshire?—I think I have fished every one of them in that part of the country.

2034. Speaking generally, is most of the water in those counties private water, or is there much water which is public?—I am not aware of any water at all upon which the public have rights of any sort; they are entirely in private hands, as several fisheries, or belonging to riparian owners.

2035. And what river among them are under boards of conservators?—My own river is partly in the counties of Hampshire and Wiltshire, and at the estuary it is joined by the Stour, which runs also through a small portion of Hampshire, but chiefly through the centre of the county of Dorset.

*Chairman—continued.*

2036. Have you a conservancy board for the rivers Avon and Stour?—We have jointly.

2037. You are a member of that board, are you not?—I am.

2038. Have you always been a practical fisherman?—I have, ever since I was a child, fishing from the bank for all ordinary sorts of fish, such as pike and perch, besides salmon and trout, and every sort of fish in fact.

2039. You have dealt with this water for fishing, both with rod and line, and also with the net?—I have with both.

2040. I believe that it has been the practice generally in your counties to aim at destroying coarse fish as vermin generally?—Yes; some 10 or 15 years ago I was mainly instrumental in getting up what is now our conservancy board for those counties, and I got together a large sum of money, I think very nearly 400 £, which I have spent to do what I could in any way according to my own judgment, for the improvement of the salmon fishing in those rivers.

2041. I gather that you, and those whom you represent, would be distinctly against any legislation which should prevent them destroying in their rivers coarse fish during any time that they pleased?—Most distinctly. That has been our whole aim and object, not giving ourselves, I will allow, too much trouble in the matter, but our whole object has been to lessen the pike and all coarse fish, looking upon them as mere vermin, and we should be most decidedly adverse to any legislation which would put it out of our power to destroy at all times any coarse fish that might come in our way, either by rod or line, or by nets.

2042. You are aware, are you not, that in the Bill, so far as regards rivers where there are conservancy boards, there is a power to exempt them from the operation of the Bill?—I am quite aware of that; but I know, practically, how difficult it is to get every person to agree with one's own view of what is advisable, and what is not; I found very great difficulty when the Wild Fowl Preservation Act was passed in getting what we required. In my own county we got the close time altered to our own view; but in the neighbouring county of Dorset, where

we

*Chairman*—continued.

we were sent, of course, to the court of quarter sessions, we found great difficulty in getting our view adopted by the next county, where they did not adopt our view, and I should be very sorry to be sent either to the court of quarter session, or to any other authority, to ask permission to destroy coarse fish according as we wish.

2043. Would your objection apply if you were aware that the power of exempting was left to the Board of Conservators?—No, I should object to it if it was left to the Home Secretary. Any gentleman here who takes a different view of the matter from what I do myself might be in the position of Home Secretary, and any of those gentlemen, whose names are on the back of the Bill, might become Home Secretary, and I do not think I should like to trust to their tender mercies; I think very likely I might not get what I wanted.

2044. You would object to the words "with the approval of the Secretary of State" being in the sub-section?—Yes.

2045. The words run, "A Board of Conservators appointed under the Salmon Fishery Acts, 1861 to 1876, may, with the approval of the Secretary of State, exempt the whole or any part of their district from the operation of the first, second, and third sub-sections of this section;" your objection to that is as to the words, "with the approval of the Secretary of State"?—I should not at all object to the section if it ran something in this way: that every river upon which a board of conservators has been or may be appointed under the Salmon Fisheries Acts shall exempt the whole or any part of their district from the operation of the first, second, and third sub-section. Speaking personally, I should object to being sent to the Home Secretary for that permission. I think it is very possible that he might get some influence brought to bear upon him in a direction contrary to that which I and the other gentlemen with whom I am acting on my rivers would like.

2046. With that exception, I apprehend that your objection to the prohibition of the destruction of coarse fish is pretty fairly met?—I have a great many other objections generally according to the views which I hold, and which I have just given to you, but I think that that might meet some of my objections.

2047. You would wish it to run that the Board of Conservators shall exempt?—No, I do not wish to put in such a strong word as "shall;" I would let the word "may" stand.

*Mr. Mundella.*

2048. You would wish to have an option?—Yes, we might discuss it ourselves; we might not wish to be tied hand-and-foot; that is what I want; I want to be left free; I want it to be optional.

*Chairman.*

2049. In the case of rivers which are not under conservancy boards, and of which I apprehend you have some in Dorsetshire and Hampshire, what have you to say in regard to them?—If you were to pass this Bill, which is not permissive but is restrictive, I think you would tie our hands in a very serious manner. I will take the case of two rivers in my own neighbourhood, the Itchen and the Test; those are two Hampshire rivers. I asked Mr. Buckland the question the

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other day, whether they had been put under a board of conservators, and he told me that, for some reason or other, they had not put themselves so. Both those two rivers are at their mouths very good salmon rivers. For some reason or other, so far as I can learn, salmon do not run up very far; but a very few miles; I may say four or five miles higher up than where the salmon are habitually caught, they become two of the very finest trout rivers in England, but they have no board of conservators, and, therefore, if this Bill was made peremptory, the owners of fisheries would have no means of defending themselves against an attack of pike or perch, or any predatory fish throughout their whole course. You cannot limit the powers of the Act, as it must be general throughout the river, of course.

2050. Then you would not, during the proposed close season, during which time you can most easily destroy those fish, be able to destroy them?—No; they would be left open to the attacks of pike, or any other predacious fish. In our own case, where we have a board of conservators, my alteration of that clause, supposing it was to become law, would protect us; we could do as we liked, but those other people would be out in the cold.

2051. Would you extend that answer so far as to object to the clause prohibiting the sale of coarse fish during those seasons?—Supposing it is necessary to pass any Act of Parliament at all upon the subject, I think that that would meet the difficulty. I think that if the sale of coarse fish was prohibited in some parts of the country, there might be a large increase of those fish which are of interest to artisans, although it it would not benefit us in any way. I should not personally object to the sale.

2052. What do you say with regard to the sale of coarse fish; are you aware of there being any market for coarse fish at all in your part of the world?—There is none whatever. It is quite curious to me that there should be none. When you see the enormous quantities of food that those coarse fish represent, I am quite certain that where there is a demand there will be a sale; but I have no sale; I cannot get rid of my fish of any sort or kind, although the roach and dace of my river are magnificent, and what would gladden everyone of them, the hearts of the London fisherman; but we have no sale, and when you come to look at the expense that there would be in getting these fish out of the river it is prohibitory; we have no sale whatever locally; there is no demand sufficient to make us take the fish out of the river. Some four or five years ago I sent up to my fish salesman in Billingsgate and asked him if he would take a quantity of very large tench which we catch in our salmon nets. I catch perhaps 20 or 30 large tench of four or five pounds weight apiece sometimes when I am hauling for salmon; but he sent back word that he had managed to sell the three or four tench which I sent up to him just to fill up a basket, but he said there was no sale for them, and he only sent me back something which represented 2½ d. or 3 d. a pound. I have lately been to Billingsgate again and I entered upon the subject with one of the great salesmen on another side of the market. I did not put to him leading questions, but I spoke to this salesman as if I wished to consign to him a large quantity of coarse fish, and



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and I stated that we found large quantities of roach and dace, and so on, and I said, "Should you be able to get me a price?" "Well, sir," he said, "absolutely the only sale that there is for fish of this description is to the Jews on a Friday." I happened myself to know that there was a large sale to the Jews for coarse fish in the month of October; I think there is a Jewish holiday, whether it is a fast or not I cannot say; but I know they have then a very large sale for those coarse fish, but that is the only sale. But the fish salesman went on to say to me, "I should recommend you, sir, not to take the trouble, for they will not pay the carriage; there is absolutely no demand for coarse fish in our market, and I very often see men who have speculated in purchasing those fish in the morning carrying them about all day till they become useless." That was the burden of his song to me, although as a salesman he was interested that I should send him up fish, because we know that in London there is a sale for almost everything in the world, down to a cock-robin, if you send it up; but he did his best to advise me not to send up fish.

2053. You have, I suppose, fast trains from your river to London?—Yes, I send up salmon and I send up eels.

2054. And you say, that so far as you know, you cannot get above 2½ d. or 3 d. a pound for a pike of 20 lbs. or 30 lbs., and some very small sum for roach?—Just so; I believe 2½ d. or 3 d. a pound would represent the price of a large mass of food like a 20 lb. pike, and that would not pay the carriage. That shows there is not a demand, and therefore I do not myself see the necessity, looking at it in a public point of view, of tying our hands, as owners of private fisheries, too tight.

2055. You, in fact, being in possession of a large supply of coarse fish, and being desirous to find a market for them, have not been able to find such a market?—I have not, such as to induce me to catch the fish for that purpose.

2056. May I ask whether you have made inquiries of all the large salesmen in London and elsewhere?—No, I have not, because I assume that if there is a demand there will be a supply.

2057. You tell us, as I understand, that a prohibition of the destruction of those coarse fish in your rivers in Hampshire and Dorsetshire would be very fatal to the prospect of your rivers, because the proposed close season is practically the only time in the year that you can destroy any large quantity of those coarse fish?—From local reasons it happens that those particular months that have been proposed here by different witnesses as the close season are the only months in which in my river, or I may say in all the rivers in those two counties, it would be possible to make a heavy draw upon the coarse fish with a view to their destruction. In my river, as a rule, it is always in a state of flood during the whole of the winter, and from the power of the water there is no possible means of putting in a net, especially a small mesh-net, which would take the coarse fish. The larger the mesh is of course the easier it is to haul the net in heavy water; but it happens that those three months are also the only months that we have in which the rivers are not completely choked with weeds. Those rivers, which are fine rushing masses of water in the winter, become a solid mass through which you could hardly suppose

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that any water could permeate at all, and therefore the only times that we can get upon the river to do anything either with the rod and line or with the net are the months of March, April, and May. By the middle of May the rivers as I say become a solid mass of weeds, and there is no room to put in either a net or rod and line from the bank, and those are the only times that we could do anything towards destroying this coarse fish, and if you take those months away from us, we have no means whatever of so doing.

2058. You object to having that power taken away from you, but you do not object to the clause in the Bill which prohibits the sale of those fish during three months?—I would not.

2059. You would be in favour, would you not, of the prohibition of nets being used during that time, both in public and in private water?—With public waters I am not professing to deal, because we have none. I am here rather to represent the country gentleman's interest against that of the fishers in public waters. We have none in our parts, and therefore I should be very glad myself to assist all the artisans in Nottingham, or in the Lake districts, or in Norfolk, or any where else, to improve the size of the fish that they catch, so long as they leave us alone.

2060. With that view, have you considered how you could define private water?—I heard that question asked here the other day, to which I should make the same answer as Mr. Buckland did, that I am no lawyer; but in my own part of the world we find no difficulty; everybody is perfectly aware who are the proprietors. The fisheries are in very few hands, and the question never arises with us. Poaching is unknown; I never had occasion to disturb anybody; they do not come on our water at all. We are not in a manufacturing district you must recollect; we have nothing but our ordinary agricultural labourer, who is not by any means the sort of person that the Sheffield angler or the Nottingham angler would be.

2061. Your objections to the Bill would not be met by providing that it should apply to water which has not a natural connection as it were with public waters or navigable rivers, and so on?—No, I do not think that that is a question which I have entered into or could enter into; it does not affect us; ours are mere rivers, we have no system of locks or large ponds, or anything of that sort; ours are mere brooks and rivers; I do not know whether it is a sort of evidence that the Committee would care to have, but I have taken the trouble to glean the opinions of most of the large proprietors of fisheries in my neighbourhood upon this subject.

2062. If you thought you could add anything to what you have been telling us, the Committee would be glad to hear it?—It is only as to their view of the Bill. They entirely agree with me, only they use much stronger language than I do upon the subject. I may state that those letters which I have here represent the names of several very large proprietors, the representatives of all the largest properties upon those two rivers which I have named. (*Delivering in some letters to the Committee.*)

2063. I would only ask you, generally, are there any other points which you wish to put before the Committee?—My general view of the matter was, that there was not sufficient public interest in the sale of those coarse fish as a matter

*Chairman—continued.*

a matter of public food, to call for any legislation to interfere with us, the owners of private waters, because, as I have endeavoured to show, I did not think that there seemed to be a sufficient market for them as a matter of food. The exceptions which I have heard mentioned in favour of boys home from school, for artisans on Bank holidays, and for the supply of aquariums, and matters of that sort, as it seems to me, would neutralise any general Act of Parliament, in fact it would fritter it away. I doubted also whether the amount of water open to the class of anglers for whom you are endeavouring to provide larger fish, would extend sufficiently over the whole country. I know that in the Lake district there are public waters, and probably at Sheffield and in certain canals, and on the Trent, and in some of the broads of Norfolk, and on the Thames a great many of those have their own private means of protection. The Thames has got its own board; I do not know what their views of the matter are, but they do not seem to me to want any further legislation. Then I think that some of those Norfolk associations object to any interference at all; they are quite satisfied with things as they are. Then I was reading a report of the fisheries of the English Lake district, which Mr. Buckland gave to me, and I see in it that several of the witnesses object to any close time at all for many of those coarse fish. In the appendix to the evidence before Mr. Buckland and Mr. Walpole at Windermere, on the first page of the evidence in the appendix, I see this, "Windermere produces trout and char, and also pike and perch. Many people think the pike and perch ought to be got rid of." Then on page 4, again, I find, "As to pike, is not in favour of protecting either them or perch." I see also, as to pike, in the evidence produced in the Lake district, in page 6, "Frank Jones thinks it doubtful whether there should be a close season for pike." On page 8, Thomas Willan "would not have a close season for pike and perch." William Stanley, at page 10, says, "some lakes are so infested with perch that there must be a smaller mesh for them. Is in favour of treating the perch as vermin; and the perch here are very small, and could not be taken in an inch mesh," and so on. It goes on through each page; so that it shows that the evidence in the Lake district is not unanimous upon the subject of preservation.

2064. You would like to see a clause prohibiting the sale generally, or, at all events, you would not object to that?—No, I would not.

2065. And I apprehend that you would like that clause which refers to the use of dynamite, and other matters of that kind?—Certainly.

2066. So far, then, the Bill would be an advantage to you?—Looking at in an abstract point of view, I should certainly object to the use of dynamite, or any deleterious substance, for the destruction of fish, like coculus indicus, lime, or anything of that sort.

2067. And you lay great stress upon the necessity for the exemption of private waters?—I do.

2068. By "private waters," you appear to mean waters over which there are proprietary rights?—Exclusive proprietary rights.

*Mr. Mundella.*

2069. I think you say that your district is Ringwood; that is part of the New Forest, is it  
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*Mr. Mundella—continued.*

not?—It is just on the other side of the New Forest.

2070. The population is very sparse there, is it not?—Yes, very sparse indeed.

2071. And fish is very abundant?—Yes, fish is very abundant.

2072. Are the finer fish, salmon and trout, very abundant?—Yes, the finer ones as well as the coarser.

2073. And therefore you wish to have power to keep down the enemies of salmon and trout?—Just so; to increase the salmon.

2074. Are you aware that this Bill makes ample provision for that?—Yes, it endeavours not to interfere more than it can possibly avoid with the existing boards of conservators.

2075. It does not interfere at all; it is absolutely with you in favour of the preservation of the better class of fish; now, supposing that to be the case, is there any objection to preserving the coarser kinds of fish, as they are called, where there is no better class of fish; supposing that your salmon and trout are amply provided for, and there are rivers where there are no salmon and trout, do you object to the coarse fish being preserved?—I am speaking more especially with regard to the rivers in my own neighbourhood.

2076. If the Bill provides for the rivers in your own neighbourhood, do you object to the other waters of the kingdom, where there is no change of salmon or trout ever being caught, being preserved for coarse fish?—No.

2077. All those letters which you have put in simply refer to the one subject, of the extermination of coarse fish; one gentleman says "I should like to see the whole lot exterminated if that would help salmon up into our rivers?—That is the burden of the song.

2078. The extermination of coarse pedasious fish is the burden of the whole song?—Yes, certainly.

2079. In order to guard against injury from these fish, there has been put in a clause especially giving authority to the Board of Conservators appointed under the Salmon Fishery Acts, "with the approval of the Secretary of State" (which I think are the words that you object to, and taking those words out meets your case), to "exempt the whole or any part of their district from the operation of the 1st, 2nd, and 3rd subsections of this section"?—Take these words out, and I should not object.

2080. It is the Secretary of State that you are afraid of?—I am.

2081. The Secretary of State practically being advised by the Inspectors of Fisheries appointed expressly for the purpose of multiplying the best fish that we can get in this country, is not that so?—But I am at issue as to the value of the fish to begin with; I do not object to the word "engine," but I do object to the fish itself as not being a valuable source of food.

2082. All that you mean to say is this, that you would never preserve pike where you could preserve salmon?—Yes; practically it is so.

2083. Everybody would agree upon that; that is a sensible and self-evident proposition?—It is so; that is if you do not tie our hands too much.

2084. You come to give evidence against the Bill; you object to it *in toto*; and the whole burden of every letter which you have put in is, "Exterminate the coarse fish lest they destroy our  
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*Mr. Fane.*

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Mr. Mundella—continued

our salmon;" you do that now, do you not?—We do not take much trouble about it.

2085. How is that?—Because it would be so very expensive a thing to do; that is the long and the short of it.

2086. You do not attempt then to destroy the coarse fish?—If we meet with them we destroy them.

2087. You have got the absolute power, with no Bill or Act to interfere with you, and yet you do not destroy them?—Because it would be so very expensive a thing to do; and we let the thing slide rather than go to the great expense which would be involved.

2088. You destroy your own evidence, do you not, because if you do nothing now this Bill will not hinder you from doing nothing hereafter?—But we are guided by local circumstances which do not affect other parts of the kingdom. As I said just now, we are so hampered with the weeds and by floods that we have not the power to keep down those fish at other times of the year.

2089. I am afraid that this Bill will not help you as to weeds and floods, though it will not prevent your destroying them?—If these three months are left open for my purposes, I shall be able to destroy a great number of those coarse fish which I should not be able to get at other times.

2090. You do not destroy them now you say?—If I meet with a pike in a salmon net I destroy him, and if I meet with a roach in a salmon net in the months of March, April, and May, I destroy him.

2091. You do not want to sell the fish, because in the close season it is not worth selling?—It is not worth selling at any time; that is my argument.

2092. I want to point out to you that there is something in this Bill which is better than you anticipate; in the first place, you say that in the Hampshire district, the Itchen is not under a conservancy, but there are a good many trout in it?—Yes.

2093. Are you aware that this Bill would protect those trout which are not now protected?—I am speaking without being certain, but I was under the impression that they were protected exactly by the same close season as the salmon are, at any rate in salmon rivers.

2094. Supposing that I can assure you that they are not, and that this Bill protects them, do not you think it is a good Bill to do that?—Anything that would protect trout and char, and fish of that sort, would be a good thing.

2095. Will you be good enough to look at the 5th section, which says, "Sections 8 and 9 of the Salmon Fishery Act, 1861 (which relate to fishing with lights, spears, and other prohibited instruments, and to using roe as a bait), shall, as amended by the subsequent Salmon Fishery Acts, apply to trout and char in all waters within the limits of this Act, and the term 'salmon river,' as used in Section 64 of the Salmon Fishery Act, 1865, shall include any such water;" the 6th section says, "In this section the term 'freshwater fish,' includes all kinds of fish other than trout and char." Then the 2nd clause says, "This Act shall, so far as is consistent with the tenor thereof, be read as one with the Salmon Fishery Acts, 1861 to 1876;" and this Bill actually gives a close time for trout and char which have no close time at present,

Mr. Mundella—continued.

except where you have a salmon river?—That may be your intent in this Bill, but these are not coarse fish.

2096. You see we are only following up your own aim, and your aim is to protect the better class of fish?—Yes.

2097. Is it not the case that the Salmon Fisheries Act protects salmon in salmon rivers now, but where there are trout and char and no salmon, they are not protected anywhere?—I thought that in salmon rivers they were guarded along with the salmon.

Chairman.

2098. Besides being in a salmon river, are you aware that the sale of trout and char is prohibited between the 2nd October and the 1st February in all rivers?—Yes, the sale is prohibited. I am quite with you as to the necessity of a close time for trout and char.

Mr. Mundella.

2099. And this is in addition?—Then it is all the better; I am very glad to hear it.

2100. You said that coarse fish is not worth selling at 2½d. and 3d. per lb.; that is to say, 2½d. and 3d. is the price that the fisherman, that is the wholesale man, can realise for coarse fish; it may not be worth while for a gentleman to sell his coarse fish at 2½d. or 3d. per lb., but we have had evidence before us that tons and tons of coarse fish are sent up regularly to be sold at that price, and that it will pay the fishermen and poachers to sell it?—We have had no experience in my neighbourhood of anything of the kind. My argument was that if there was a demand the supply would follow.

2101. Have you ever been in the Paris fish market?—Indeed I have; not in the Grand Halle, but I have seen the horrid fish that are produced upon the slabs of the cafés.

2102. But have you seen in the Grand Halle, that every description of what we call coarse fish, is sold daily?—Yes, I believe there is more sale of them abroad than there is in England; that I do believe.

2103. Every bit of fish that can be got in France is utilised, is it not?—But there is no thing that they will not eat; but we have not got the cooks, I am afraid, that they have in France.

2104. So long as this Bill does not interfere in any way to damage the production and multiplication of trout and char and salmon, you do not object to the Bill?—Not at all.

Mr. William Lowther.

2105. You have been in the Paris fish market?—Not in the Halle Central, the great fish market there.

2106. You do not know whether they eat frogs there?—I have never succeeded in getting them.

2107. Are you aware that in other markets they sell thrushes and robins?—Yes, I have seen upon a slab in Rome a wild boar, a magpie, and a cockrobin, all at once.

2108. Do I understand you, your feeling is this, that when you meet with coarse fish you destroy them?—Always.

2109. And you think that if this Bill becomes law you will be prevented from destroying them?—We should.

2110. And

Mr. William Louth—continued.

2110. And therefore you are opposed to this Bill?—I am opposed to the Bill.

2111. And you are quite of opinion that there should not be any protection to coarse fish where there are trout, salmon, or char?—I go further; in waters absolutely private, I wish not to have my hands tied.

2112. Do you know whether coarse fish is used in any trade?—I am not aware that it is in England. I do not know any; I believe that in France they use the scales for something analogous to the manufacture of Roman pearls, and that sort of thing.

2113. If you met with any perch or pike spawn, would you destroy it?—No, I never have done so; I may shortly be obliged to do so.

2114. Just put the question to yourself; do you think you should destroy them if you met with them?—I will wait till an occasion occurs. I never have done so. I do not kill foxes. I might also add, that during the three proposed months of close time, I think the pike and perch and most fish are able to protect themselves. They get up amongst the weeds, and get up the ditches. Certainly, perch do, and pike do, in a way that would protect themselves. We do not see them. We have not the means of always getting at them. There is a great deal of self protection in the matter.

2115. You mean in your own river?—Yes.

Mr. Arthur Bass.

2116. Do you think that the powers that they have on the Thames work very well?—I believe so, but I have had no personal knowledge of them.

2117. Would you object to extending those powers to every part of the country?—Yes, certainly. The Thames is public water; it is only with regard to private water that I object to legislation.

2118. But you would not object to extending the powers generally to all public waters?—I would not.

Mr. Bristow.

2119. Taking your view of private waters, does it seem to you right that a private owner should have the power to destroy all fish during the spawning time on what may be a private water, but which flows into a public stream?—None of our waters do flow into a public stream.

2120. You have got a private water, but I am asking you a broad question?—I do not think that the public interests are so extensive as to make it necessary to legislate one way or the other.

2121. Am I to understand that to be your opinion, that you do not think this Bill so far is required?—Just so.

2122. As a matter of principle, do not you think that the power which you claim to absolutely destroy all coarse fish in a private water that flows into a public stream where the public have the right of fishing, is a serious interference with the rights of the people?—Those fish are not very moveable. Pike is not a fish that moves much. Perch certainly does not. Roach and dace do migrate to a certain extent up and down the river; but I do not think that those larger fish in which the greatest interest would be taken do that.

2123. Your opinion is that supposing you have a private fishery in a small stream that flows into a larger one, the perch, roach, and so on, that

Mr. Bristow—continued.

may be bred in the private water, do not get into the public stream?—I would not say that they do not, but I say this, that where a piece of water is protected, and the water below and above that piece of water is not protected, there is a manifest difference between the fish in the protected water and those in the unprotected water, which is an argument to use that they do not move a boat much. I do not say that a heavy flood does not carry down a heavy pike into the waters below; but my argument is that the public are not sufficiently interested in the question.

2124. Hitherto you have had the amplest powers to destroy all those coarse fish?—Yes, we have.

2125. And yet you have never done it?—I do not say that we have not done it; we do, only we are perfectly independent as to the time of the year; whenever we can manage to get a net in, we do it, and that is only in the middle of the proposed close season.

2126. If I understand you aright, you have not drawn nets for the purpose of destroying them, but you have destroyed those fish when they come up in your nets when you have been drawing them for salmon?—But we very often do draw them for the purpose of emptying the river of fish, and pay the cost ourselves; but then, as I said just now, it is so expensive a thing to do that we would rather not be bothered with it.

2127. Practically and systematically you have not done it?—No.

2128. Then if you have not done it systematically, how would this Bill injure you?—I think we ought to have done it systematically, but I mean to say that in spite of those large sums which, as I said, we have expended on our river, I see no sufficient increase of the finer fish commensurate with the labour that we have been at; we ought to have done it, no doubt.

2129. If those gentlemen who have sent those letters are so zealous about it, how is it that their zeal has not led them on to carry the matter out?—But it has. There is one noble Lord who states that all his life he has been doing all he can to destroy all those fish that are now proposed to be protected.

2130. I understand your view to be that you do not care about rivers where there are neither trout nor salmon, and in those cases you do not object to the Bill?—I represent here a particular part of the country in which the interests, as it seems to me from the evidence which I have heard here given by inspectors and others, are of an entirely different nature from those in the north of England. Ours is a district of a distinct character.

2131. I still repeat the question which I should be glad if you would answer; so far as the Bill affects rivers which abound in coarse fish, but in which there are neither trout nor salmon, you see no objection to the operation of the Bill?—No, I would not, as being disinterested in the matter.

2132. Then where is the difficulty under this Bill; as it is now you have a board of conservators, and therefore you are exempt so far?—I am not exempt so much as I wish to be exempt.

2133. Supposing those words are taken out which you object to; what do you say?—I proposed another form of words. As I suggested I should

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7 June 1878. should not object to the particular clause if it stood in the way, that it was put by the Chairman for the very reason that where a board of conservators has been or may be appointed under the Salmon Fisheries Acts they may be exempt. I want to strike out the words "with the approval of the Secretary of State," but, *ipso facto*, that we should be allowed to manage our own affairs in our own way.

2134. Then you would approve of the principle of extending a board of conservators to streams which are trout streams, although they may not be salmon streams?—Yes, certainly, I should.

2135. You have told us about those weeds as being the chief reason why you think it is not desirable that there should be a close time, but during the open time why should you not cut the weeds, or rake out the weeds?—Owing to the enormous expense; one large proprietor close to me, spends, at least, 80 l. a year in clearing his portion of the river, which may be two or three miles; it costs him as much as that. I used to clear the weeds out at my own expense, for the purpose of putting in a net in many places for salmon, but I have been obliged to give it up, the expense is so heavy, and there is no commensurate return; you have no conception what a job it is. We are obliged to make one single cut up through the middle of the river, which is done by the farmers with a rake, and even to make one single narrow cut right up the middle of the river through the reeds, costs something like 15 l., 16 l., or even 18 l.

2136. It is as bad as that by the end of May?—Yes; at the present moment, they are probably being cut; it is too serious a matter to attempt to clear out those weeds.

2137. Will salmon rise in the rivers which you have been speaking of?—Yes, very fairly, in the month of March and April.

2138. You have told us about those fish not being worth selling; I presume you have only been to the principal fishmongers in Billingsgate; you have not been to other smaller fishmongers?—Locally, of course, there would be fishmongers who, if there was any sale, would take what fish we had, but they cannot sell them. They carry it so far, that even on the banks of the river, when we are netting for salmon, sometimes we make a great haul of roach, and we destroy them as I said before; we make no use of them. Our people are desperately poor in my part of the world, but they will not take the trouble to come down and carry away the fish; they do not like them, and they lie there and rot.

2139. You told us that you thought there was not sufficient interest in this matter for legislation, but you are aware that in Norfolk and Suffolk they have actually got an Act passed for the purpose?—Yes, I am aware of that, and I believe they are dissatisfied with this Act.

2140. If they had an Act, what does it do for them?—I do not know what the provisions of that Act are; all I know is, that they are not satisfied with them, at least I am told so.

Mr. Mundella.

2141. Are you aware that the honourable Member for Norfolk has his name on the back of this Bill?—I am not at all; I do not know who the honourable Members are whose names are on the back of the Bill.

Mr. Bristowe.

2142. You are perhaps aware that under the Act to which reference has been made, there is a close time for those fish under the rules provided by the Secretary of State?—I have not gone into the matter sufficiently to read the Act, but I conclude that it deals almost entirely with public waters, and not with private waters. I do not myself see why there should not be some wording put into this Bill to make it apply to public waters, and not to private waters, speaking for myself.

2143. So far as public waters are concerned, you do not object to the Bill?—Not at all.

Mr. Stafford Howard.

2144. Had you paid any attention to the 5th clause of this Bill before you came to give evidence?—Yes, I have read it several times.

2145. Do you quite understand what will be the effect of it?—It appears to me, so far as I read it, that in plain terms it merely puts trout and char under precisely the same protection as salmon are for the same periods. Those two days that are mentioned in the sub-section, the 1st day of March and the 31st day of May, are to be the days, I presume, that every salmon river would be under the Salmon Act. In my river, for instance, which opens on the 1st of February, we shall be able to catch trout from the 1st of February up to the 1st of August.

2146. In rivers which are under conservancy boards, the trout are now protected by the Salmon Act, are they not?—I thought that all trout and char in salmon rivers were protected under the Salmon Act. I should most certainly wish to see trout and char protected in all rivers in a precisely similar manner to what salmon are.

2147. That is exactly the effect of the 5th clause, and therefore you are in favour of it?—Yes, I said so before.

2148. If boards of conservators in salmon and trout rivers were allowed to exempt their districts from the close time for coarse fish, you would be satisfied so far as those fish are concerned?—I am thinking of my own interest in my own neighbourhood; we certainly should be satisfied. I feel that I represent two whole counties, and that that would meet our views.

2149. You also think that where rivers are entirely in the hands of private owners from the source to the mouth they ought to be able to get exemption from the close time which is established by this Bill for coarse fish?—I think that private waters ought to be exempted. I heard the other day when I was here, considerable talk about ponds being exempted and stews, which certainly should be so, besides a great number of other exemptions. That shows, therefore, that there is a feeling that fish in private waters should be exempted, and should not be subject to any Act of Parliament.

2150. But some parts of a river may be public waters and other parts private waters?—That, I say, is beyond my experience; because in my counties such a thing does not exist; it is all private waters; I should not think that there was a single inch of public water in my counties.

2151. If the proprietors of those rivers who hold them in their own hands only took the trouble to make themselves into conservancy boards, they would get exemptions that you want now, and you would know whether you possessed them

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*Mr. Stafford Howard*—continued.

or not?—But I find very great difficulty in moving country gentlemen at all; they will not exert themselves one inch.

2152. Do not you think that this Bill would be quite sufficient to move them?—I do not think it would; they would only try and contract themselves out of it. That is all that they would do.

2153. Do not you think that if this Bill passed to set those general boards of conservators in a way to exempt themselves, they would very soon form themselves into boards of conservators?—That is a point on which I really do not think I can give an opinion as to what they would do.

2154. It would not be a very great hardship upon them, would it, to allow them to exempt themselves if they would only take the trouble to form themselves into a board of conservators?—As I say, I know how very difficult it is to get country gentlemen to agree to anything.

2155. And you think they ought to be left alone?—I want them to be left alone.

*Mr. Isaac.*

2156. Can you define the difference between public and private waters?—No; I could only give the answer which Mr. Buckland gave the other day, that not being a lawyer, I cannot define it. We are very well defended by the law of trespass. I have never seen the right attempted to be set up in my part of the world by the public in any shape. I have never seen the thing attempted in either of those two counties upon which I am particularly giving evidence.

2157. Are the whole of the waters in your two counties private waters?—Yes.

2158. Have you no public fishing at all on any part of the waters?—No; none that I am aware of, not even from the county bridges.

2159. Have you any canals there?—In Hampshire there are a canal or two; but I do not know what their *status* is now; I think they are disused. In Dorsetshire I cannot recall at the present moment any canals, and certainly there are none in my part of the county.

*Lord Muncaster.*

2160. Do you think that any fish caught by angling during the three close months, supposing this Bill passed, would materially affect the supply of fish?—No; I would exempt all anglers from any close time.

2161. I suppose you think that both pike and perch are most detrimental to salmon and trout, and so on?—Yes, certainly.

\* 2162. You are of opinion, are you not, that boards of conservators as a whole are good?—I think they are; they are too apt perhaps to delegate their powers into the hands of a minority of their members; they do not take sufficient interest in their business.

2163. And you would wish to see them extended?—Yes, of course; wherever the salmon interest is large they take an interest in them, but in a county like mine where salmon fisheries are in the hands of private individuals, and they work them merely for purposes of sport, they do not take much interest in the matter. We find it very difficult to get up a meeting of the board of conservators once a year, and I and one or two gentlemen are probably the only ones that are present regularly.

2164. If this Act passed there would be no

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*Lord Muncaster*—continued.

power to destroy predatory or coarse fish during the close time where there was no board of conservators?—None, during those three months.

2165. Supposing there were no board of conservators, have you thought of any other authority that could be substituted for them in order to get those provisions applied to destroy the coarse fish?—No, I think it would be very unpopular if any outside authority should step in.

2166. I mean if there was no board of conservators?—Such a case has never occurred to me.

*Sir Andrew Lusk.*

2167. When you speak of coarse fish, is not "coarse" a relative term?—It is a term which appears to have been used here very freely. In my country we should distinguish all the fine fish into salmonidæ and grayling, and I think we should term all the others coarse fish.

2168. A gentleman may consider a piece of cloth very coarse, whilst a poor man may think it was rather fine for him?—I do not know what his view of roach might be, but, I think, even with my perhaps superior cookery, I should object to it. I do not know whether there is that demand for roach and dace to be put upon the table.

2169. In the northern district, and other places where they have no salmon at all, roach or dace might be very nice fish to them, might it not?—Yes, it might.

2170. Although it may be coarse to you, it may be very fine to them?—Yes; "coarse," as you remarked, is a relative term.

2171. You were speaking rather lightly about 2½ *d.* a pound; I presume you know how much 2½ *d.* per pound is per ton?—If you will give me five minutes I will find it out.

2172. Twopence-halfpenny a pound would be 23 *l.* a ton?—Yes; I know that 3 *s.* was the utmost that was offered to me for a bushel of roach.

2173. If, as the honourable Member for Sheffield mentioned, we have had evidence given before us, that fishermen send one, two, or three tons per day sometimes; two or three tons, at 23 *l.*, is not to be despised by a poor man, is it?—No, certainly not, by the Jews, because they appear to be the chief consumers.

2174. I mean by the fishermen; if people send them by the ton, as was given in evidence to us?—I have only to put against that what I was told when I tried to sell my fish.

2175. If a man made 20 *l.*, 30 *l.*, or 40 *l.* a day by fish, he would not think lightly of coarse fish?—That has not come under my cognisance, but you are quite right in putting it in that form.

2176. There is another thing which you suggested that I want you to explain; you said that you would like to manage your own affairs in your own way, but I suppose you know that in a civilised country we cannot do that as a rule?—Certainly; but I went on to qualify that by saying that I did not see that the public interest was so large that it would be necessary to take out of our hands the management of our own affairs.

2177. So far as one can see in a civilised country, you are obliged to make laws to apply generally, and not to particular localities?—Just so; but I have heard a great deal of evidence relating to other parts of the country, none as to

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*Mr. Fane.*

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Mr. Fawc.

Sir Andrew Lusk—continued.

7 June 1878. my own, and I can only give my own views as to what are our local requirements.

2178. You might want to manage things in your own way in your part, but it would not answer to make a law of that sort?—But I may say that in my two counties where I live there is no demand for those fish. Of course we have not the amount of population that there is in the manufacturing districts and in the North.

2179. But do you allow people to go and fish in your rivers when they like?—No, certainly not, without asking leave. If anyone came and asked me, I should say, "Go, and kill all those fish you can." I am only too willing to give them permission to fish as much as they like.

2180. You mentioned that you would exempt salmon and trout in the close season from fishing by rod?—The close season proposed here in this Bill is our open season for salmon.

2181. But you approve of prohibiting the fishing of salmon in the close season by rod, do you not?—Every class of fishing during the close season.

2182. You said you would not allow anglers to fish for salmon in the close season?—I then referred to the close season which is mentioned in the Bill which is under consideration.

2183. The close season for salmon and trout?—You will understand that there is a difference in the close season for rod and line, and in the close season for the net for salmon.

2184. But you approve of the prohibition of taking them by rod in the close season?—Certainly; in the winter most certainly, or in any way.

2185. But where there are so many rivers, and where there are so many people who are fond of sport, why would you not protect other fish as well by a close season?—The interests of the preservation of salmon, and the interests of the preservation of gudgeon and dace, do not appear to be analogous.

2186. Not to your view, but in the case of those Sheffield men, the 6,000 or 10,000 who fish, it may be very important to them?—I am perfectly aware of that; I have said here, just now, that I should be willing that their sport should be improved, but then comes the question of public waters and private waters. Do what you like with the public waters. Make any Act of Parliament you choose; you can give those bank fishermen the power of using the rod and line, but you must find them water to fish in, and there is the difficulty. It is a question as to the amount of space of water that is available for the artisans to whom I would only be too glad, as a practical fisherman, to give the very best fishing I could possibly do, so long as they do not trespass upon private property.

2187. From your liberal ideas, I gather that you would be inclined to extend this Bill a little?—I have no objection to the Bill in its entirety.

Mr. Mundella.

2188. It is only its application to salmon and trout streams that you care about?—Just so.

Sir Andrew Lusk.

2189. Only the application to your own streams?—Yes.

Sir Andrew Lusk—continued.

2190. You do not care about other parts of the kingdom?—Every gentleman who comes here to give evidence, gives evidence with regard to what he knows best, and out of that you will winnow the chaff.

2191. But with regard to private waters, supposing a gentleman has five or six miles of a river, and it then comes into another property for another five or six miles, do you call the first private water in a big board river?—Yes.

2192. Supposing a fish goes up in the spawning time to the other gentleman's property and he destroys the fish that is going to spawn, do you consider that a proper thing to do?—That question was asked me just now by an honourable Member, and I stated my belief that those fish for which you are apparently trying to legislate are not of that sort, of a migratory character; that fish like pike, roach, perch, tench, carp, and more or less roach and dace, do not migrate, and I illustrated that view by saying that if you had one piece of five miles unpreserved, another piece of five miles preserved, and the next above unpreserved, the middle five miles of water would hold all those fish in a very much larger proportion than either of the two unpreserved portions. I should except from that, of course, trout and salmonidæ, which do move and force their way up into the highest possible portions of the stream; but I do not think that those fish for which you are endeavouring to legislate do move in that sort of way.

2193. Supposing a man thinks that the water is injured that comes to him by taking away the fish above, what do you say to that?—I am afraid there is no law to assist him.

2194. Supposing we tried to assist him?—Then you would sacrifice the private owner to the public.

2195. The water in a river, you do not strictly call the property of a man, do you?—But we are talking about the fish in the water; the water in the river is a very broad subject.

2196. I am not going into that; you know very well there is an Act of Parliament with regard to that; the atmosphere belongs to the public generally, I believe?—Then you would not try to legislate for it.

2197. Every man can take as much as he likes; but you know that we passed an Act of Parliament in the House of Commons not very long ago, that if a man sets up a chemical work or an alkali work, that deteriorates or does something to the air, and that injures anybody four or five miles away, or a mill way, or whatever it is, we will not allow him to do it?—Yes, I am aware of that.

2198. Do not you think that if a man injures the water which flows down to him by taking and destroying the spawn, we ought to try and protect the man that is so injured?—I think if you were to go into that form of legislation to which you appear to be wishing to drift, you would simply lay out a fine field for the lawyers, as to what was, and what was not, injury done to your neighbour.

2199. Upon the whole, you believe in a close season for salmon?—Certainly.

2200. Do you believe in a close season for any other kind of fish which you know of except salmon?—For trout and char I do; I have no objection to the preservation of coarse fish in rivers where you can get nothing better.

2201. Just

Mr. Mundella.

2201. Just to sum up your evidence, as you say, the Salmon Acts have operated very favourably for the preservation of salmon, have they not?—Yes, certainly.

2202. Then you have said that you thoroughly approve of a close season for trout and char, as well as for salmon?—Yes.

2203. So far as this Bill helps a close season for trout and char in rivers where there are no conservators, you thoroughly approve of that part of the Bill?—I do not think that I can agree with that *in toto*.

2204. I understood you to say in a former part of your evidence that a close season for trout and char, where the river is not a salmon river, and where it is not under conservators, was desirable?—Yes, for trout and char.

2205. So far as this Bill helps that you are in favour of it?—Yes, certainly; for trout and char.

2206. So far as this Bill gives power to the conservators to destroy coarse fish where salmon, trout, and char are preserved, do you approve of it?—But that was subject during the close season, to the approval of the Secretary of State I think.

2207. I say as far as it helps, but you object to the Home Secretary having a veto upon it?—Just so.

2208. Then, as I understood you in answer to the last honourable Member who put questions to you, where trout, char, and salmon do not exist in the ordinary rivers and canals in England, and where there are now coarse fish, you see no objection to the preservation of the coarser fish?—No.

2209. Taking the country as a whole, and taking the water of the country as fish farms, you do not object to the multiplication of coarse fish where you cannot multiply the better breeds of fish?—I should like to know whether in your view it extends to ponds and things of that sort?

2210. No; my only view is for exempting private waters and private grounds, but you cannot possibly exempt public streams that are navigable streams?—No; I am in favour of improving the breed of fish by a close time.

2211. You must be aware that respecting the qualities of fish for edible purposes whereas you and I prefer salmon, trout, and char, and do not care perhaps for coarse fish to people who never get the finer fish; a good pike, or a good barbel, or a good roach may be acceptable, you can understand that I suppose?—Certainly.

2212. And that it is wanton destruction to destroy fish of that kind unnecessarily?—Yes, certainly; I always bar private rights.

2213. With a view to the preservation of salmon, trout, and char, I understand?—Not altogether.

2214. You think that where salmon, trout, and char do not and cannot exist, the other fish might be increased?—So far as I myself am concerned I should be perfectly indifferent.

2215. Where they do not and cannot exist, you think even there that what you call private rights ought to be exercised to destroy all the fish if the proprietor wishes, so as not to have coarse fish in the river?—Certainly, I do.

2216. Practically, you would extend the proprietor's rights to this, that if a man has five miles on a river, say the Trent, or a river where there is a proprietor on both sides, he should do as he

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Mr. Mundella—continued.

likes?—I was under the impression that the Nottingham anglers used the Trent pretty much as they liked.

2217. You think that a proprietor ought not to be limited in the entire destruction of the fish if he pleases?—I think not.

2218. And that the public has no rights whatever to interfere?—The public have no rights in those private fisheries, because in my own view I do not take it that the public interest is so large as you appear to think; that is my private opinion of course.

2219. Supposing there were no such things as public waters, what would you say?—I really do not know. A question has been asked what is a public water and what is a private water. I should illustrate what was a private water in my own case by having anybody up who trespassed upon it, and that would very soon decide whether it was a private water.

2220. Both your rivers, the Stour and the Avon, are under a board of conservators?—Yes, the board of conservators takes cognisance of everything probably up to the watershed.

2221. Why should not the Test and the Itchen be under a conservancy as well?—I do not know what was the reason why they were not. I asked Mr. Buckland the other day, and he simply said they were not.

2222. It is because they would not put them under. I believe they could be if they wished it?—I cannot say what was their reason. I suppose there was one.

2223. The two principal rivers in your counties are under boards of conservators?—Yes.

2224. If your rights are respected and you are allowed to destroy predacious fish, you are content?—Quite.

Mr. Dillwyn.

2225. The Hampshire rivers are tidal a part of the way up, are they not?—Very slightly so; you may put the tide at three miles; but even a large portion of the tidal water is private. It is a private fishery under a Royal Grant of some kind or other. In the estuary for probably a mile or a mile and a half below the freshwater it is a private fishery.

2226. It is not claimed by the owners as being riparian owners?—No, it is a several fishery and has a Royalty, I think.

Mr. William Lawther.

2227. You have been asked several times why, when you have the power to destroy those coarse fish, you do not do it; did I understand you to say you did not do it because it was too expensive?—Exactly so.

2228. There are many things which one would wish to do if one could afford to do them?—Many.

Mr. Rodwell.

2229. Is not there a little confusion between you and the honourable Member for Sheffield between public and private rights; I understand your view is that you would impose no prohibition upon the rights of parties where each part of the river belonged to private individuals; but would you interfere where there are private rights in a stream which communicates with other streams?—I answered "No," generally, to that

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Mr. Fane.

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Mr. Fane.

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Mr. Rodwell—continued.

that question, I think ; but I stated that, in my part of the world, the question did not arise, as we have nothing in the shape of lakes ; we have mere brooks and rivers.

2230. Then it is, *à fortiori*, the case if you would not interfere with the private rights of a person as to the fish in the stream ; you would not interfere with his private rights in an enclosed water ?—Certainly not.

2231. You have been asked about the words "coarse fish" ; you consider that the reasons which would induce such stringent regulations with regard to salmon do not prevail in the case of those fish which are worth 2½ *d.* a pound ?—Yes, just so ; I do not recognise their necessity

Mr. Rodwell—continued.

as an article of food to the extent that some gentlemen appear to do.

2232. I do not know whether you are aware, but the case principally seems to be the preservation of those fish more for amusement than as a staple article of food ?—That is precisely my view of the case.

2233. Do you think that for the purpose of increasing the amusement of a particular class of fisherman you should therefore impose all those prohibitions upon the general public ?—Certainly not ; that is the general tone of my evidence that I do not see the necessity of interfering with a large number of private rights for a very limited purpose.

Major MYLES SANDYS, called in ; and Examined.

Major Sandys.

Chairman.

2234. You are Chairman of a Board of Conservators, I believe, in the Lake District ?—Yes, I am.

2235. What board of conservators ?—It is not exactly a board of conservators ; it is an association called the Lake District Fish Preservation Society ; a voluntary association.

2236. Formed for the protection of other fish besides trout and char, or have you salmon also under you ?—We have not salmon under us as at present, but it was an association got together for the purpose of promoting legislation for the protection of the fish of the district.

2237. For the protection, that is, of trout and char ?—For the protection of fish generally, but specially of trout and char.

2238. Did you happen to give evidence when Mr. Buckland and Mr. Walpole were taking evidence at Bowness ?—No, I did not ; I was prevented from attending.

2239. Have you looked at this Bill which is now before the Committee for the protection of fresh-water fish ?—I have.

2240. We should be glad to have any observations whether in the way of objection or of approval, which you have to make upon the Bill, especially referring, of course, to your own district ?—I may say generally that I approve of the Bill, and I have consulted with Mr. Fell, who is the Chairman of the Salmon Fishery Board. We have had the Bill before us, and we have looked over it, and I may say that we generally concur with its provisions, but we thought that it would be a good thing that as the Lake district differs in many particulars from other parts of England, there should be certain draft amendments introduced which would apply specially to our fish on the Lake district, but with the Bill as a whole I think I may say that we quite concur.

2241. Your amendments have been before us, have they not ?—Yes, I believe they have.

2242. Do you happen to have heard or read the evidence that Mr. Fell gave us upon the subject ?—I have not seen it.

2243. I do not know whether you agree with Mr. Fell's views when he was asked questions upon the subject of the Bill ?—I cannot say positively, but I should think generally I should do so.

2244. You would approve of course of the clauses with regard to dynamite ?—Yes, certainly.

Chairman—continued.

2245. And with regard to the prohibition of sale ?—Certainly.

2246. Are there any other special provisions with the exception of those which are mentioned in your amendments, which you wish to call to the attention of the Committee ?—I think not ; I attach very great importance to the clause in our amendment, 6 E., that any person or persons having in their custody or keeping any engine or device which shall appear to have been used or intended to be used for the purpose of taking any freshwater fish, should be subject to a penalty on conviction before two justices of the peace. I would give the power of searching for those things, because in my part of the country every man is a born poacher. They cannot see anything swim or fly but they must get at it, and unless we have something of this kind we cannot put down poaching.

2247. Would the forfeiture of such net or such instrument be sufficient ?—I think that it practically would be sufficient, but at the same time there might be a further penalty. It probably would not be often imposed, unless the man was twice convicted, but I think the forfeiture would ensure all that is required.

2248. Have you taken this clause from any existing Act, or is it entirely a new clause ; it appears to be a somewhat stringent one ?—I cannot say exactly I did not take it out. I believe it is a modification of a clause in one of the Salmon Acts.

2249. Does the exemption, under Sub-section 6 of the Bill, whereby conservators can exempt any district from the operation of the first three sub-sections, meet your views as regards the Lake district ?—Quite so.

2250. I mean specially with regard to the necessity which, as we have heard from several witnesses, exists of destroying pike, &c., as fish which are destructive to trout and char ?—Quite so. I may say that I own myself one of the lakes in the Lake district, but notwithstanding that I quite agree with this section.

2251. You think, therefore, as far as regards your district, that there would be no necessity to exempt private waters ?—It is rather a difficult question to answer offhand, but speaking generally, I think that I may go so far as to say that.

2252. You are aware that there are difficulties in the way of passing such a Bill as this ?—Yes, I am.

2253. You



*Chairman*—continued.

2253. You have not formed an opinion generally as regards your district upon that point?—I cannot say that I have specially considered it, but generally I have done so.

*Sir Andrew Lusk.*

2254. You approve of a close season, I think, from what you say?—Yes, certainly.

2255. Generally and substantially you agree with this Bill?—Yes, I do.

*Lord Muncaster.*

2256. Is any part or all of the district with which you are connected under a conservancy board?—It is.

2257. I mean your association which you have lately formed is all or part of it under a conservancy board?—The conservancy board covers a part of the district only; the association that we have lately formed was formed for the purpose of getting the whole of the district put under the same board, which should have power to legislate for fish in the whole district; our idea at first was that there should be a special board appointed for this, but we consulted the Chairman of the Salmon Fishery Board, and there was a large meeting held upon the subject, in which there were representatives from the whole lake of the district, and eventually we came to the conclusion that the best way to attain our object was that the entire district, with all the lakes and streams, and everything else, should be put under the existing Salmon Fishery Board. That was not quite what we originally intended; we thought that there should have been a representative board from all the three counties (*i.e.* Cumberland, Westmoreland, and North Lancashire), but there were difficulties in the way, although we now think that the Salmon Fishery Board being placed under the justices of quarter sessions, and a certain proportion of the members retiring in rotation, would meet all the circumstances of the case, and would enable us to do what we wish; that is to say, to preserve the whole of the waters of the district.

2258. Can that which you proposed doing just now be done under the existing law?—I do not know that I could answer that question offhand.

2259. Supposing that this Bill passed, the only way to exempt coarse fish which do damage to salmon and trout and char, would be by setting in motion the board of conservators?—Exactly so.

2260. Where there was no such board of conservators, have you formed any idea what you would substitute for such board in order to set it in operation?—I am not prepared to state how we could do that, and I do not see my way to do it in the Lake district. I cannot speak for other parts of England. I do not know anything about them.

2261. In your opinion would it be advisable in any way to make a separate district for the Lake district and the analogous parts of the country which fish inhabit as separate from the general mass of rivers in the country?—I think that if the whole district was put under a body of conservators under the Salmon Fisheries Act, that would meet all the difficulties in the case.

2262. Do you mean a general Act for the whole kingdom?—No, for the Lake district.

2263. You would have a separate Act for the Lake district?—That would hardly be necessary. If we got those amendments in, and get

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*Lord Muncaster*—continued.

this special power, that is all that we are trying to get; but the point of all others which I should contend for, is that we should be put under the Salmon Fishery Acts, because there are certain powers contained in the Salmon Fishery Acts which we can get at in no other way.

2264. Have you found great difficulty in getting those parts of your association which are not under boards of conservators put under the Act?—There are a certain number of objectors, but the majority of opinions that I have heard upon the subject have been the other way, and at this very large public meeting which was held, at which there were representatives from the whole district, and was largely advertised, and everyone was invited to attend, the opinions were unanimous in favour of getting legislation upon the subject for the protection of fish; and further, it seems to me, that the best way is, that we should be placed under some central authority or some power, to deal with the whole of the lakes, and in no other way can it be obtained.

2265. I may take it that the people who represented the largest amount of water at that meeting were in favour of fishery districts?—Yes, just so.

2266. Do you think that angling, during the months of March, April, and May, which are proposed now to be the close months, materially affects the supply of coarse fish?—I do not think it does.

2267. Do not you think that it would be extremely difficult to define public and private waters in the district with which you are acquainted?—I should think it would be almost impossible, because there are a great number of private rights, and at the same time public encroachments have grown up to such an extent, that it would be exceedingly difficult to combat them now. The great majority of the waters are really private waters, but there have grown up public rights, notably in Windermere, and it would be difficult to combat them. We have thought of combating them in Windermere. Other proprietors and myself, who own the fisheries of Windermere, have been anxious to make Windermere into a private fishing lake, but when we found that a Bill was on foot, and that there was likely to be a Parliamentary legislation on the subject, we did not take up the private view, and it remains in abeyance.

2268. Have you many pike in the district?—A great number.

2269. Do you agree with the principle of those who are for giving facilities for destroying them when they injure the finer sorts of fish?—We would destroy them by every possible means. I say that as I am a fishery owner and proprietor, probably the fishermen who let boats would take a different view.

2270. But as a fishery owner you are for destroying them in every way?—Yes.

2271. And perch also?—Yes, large perch; perch grow to a great size.

2272. Do not you think that if you kill the small perch, they will never get big?—Of course that must be so.

*Mr. Stafford Howard.*

2273. When you first formed this association for the preservation of fish in the Lake district, you had in view the getting of some special Act like

*Major Sandys.*

7 June 1878.

Major  
Sandy.

7 June 1878.

Mr. Stafford Howard—continued.

like the Norfolk and Suffolk Act?—Yes, that was the original idea.

2274. You want your board to be able to make your own bye-laws?—Yes.

2275. But when you found that this legislation was proposed, you thought this measure would answer the same purpose, by giving you power to form fishery boards under Section 5 of the proposed Bill, in waters frequented by trout and char?—Yes.

2276. You would now be satisfied with the present Bill, if your amendments, or something equivalent to them, should be accepted?—Yes, and if we are put under the Salmon Fisheries Act.

2277. Section 5 of this Bill puts all waters frequented by trout and char under the Salmon Fisheries Act?—Yes.

2278. And therefore you agree with the Bill entirely?—Yes.

2279. But you would wish some amendments to be introduced into the Bill?—Yes.

2280. Did you read Mr. Walpole's evidence as to the draft amendments, which I believe were drawn up by your association?—Yes, I have read it, but I do not remember at this moment what it was in its entirety.

2281. There are several amendments which he did not think could be accepted?—Yes.

2282. First, as to Section 5, he objected to that?—Yes, striking out the words "trout and char."

2283. He said that if they were incorporated in the Bill the result would be that it would be thought very vexatious by a great number of people. I do not know whether you place any particular importance upon this first amendment?—At the meeting that was discussed; we held a meeting of the district board, and it was rather laid stress upon by some people there, notably by Mr. Fell. The thing is that unless all the kinds of fish are brought under the same rule, they fish for one kind of fish and say they are fishing for another, and there is a difficulty in getting hold of them; that was the reason for it.

2284. Do not you see that where different kinds of fish exist in one river, if you have different close times you cannot prevent people from fishing for one sort of fish at one time and another sort at another?—That is a difficulty, certainly.

2285. The close time for these coarse fish is to be from the 15th of March to the 15th of June, whereas for trout and char it is from the 2nd of October to the 1st of February?—Yes, it is so now, as the Act stands at present.

2286. The close time being different, you cannot prevent people from fishing at different times for those different fish which co-exist in the same water?—Exactly so.

2287. And that difficulty must always exist?—Yes.

2288. Therefore I do not think we should be able to introduce that amendment?—The only question is, whether it might not be better to extend the close time a little further for trout and char, say to the 1st of March, and then let the others take their chance afterwards.

2289. That would alter the whole Bill, and I am afraid that it could not be accepted, but I see that you seem to lay most stress upon the last one, 6 E?—Yes.

2290. Mr. Walpole, in his evidence, did not approve of it; he thought that it was very much

Mr. Stafford Howard—continued.

too wide, but he said that he thought that if the Salmon Act of 1861, Section 34, was extended to waters frequented by trout and char, it would answer the purpose quite as well as one could expect?—I think that if it were extended it would meet the case.

2291. Would you be satisfied with that?—Yes, quite.

2292. There was some objection on the part of a few proprietors to the formation of conservancy boards, was there not?—I believe there was.

2293. Do you wish to have one large board for the whole Lake district, or would you allow the different watersheds, or riversheds, or whatever they are called, to form their own district?—It would perhaps simplify the working if the different watersheds formed their own board.

2294. Where that was the case they would be able to get exemption in the case of pike, where pike is treated as vermin?—Yes.

2295. That is to say, with the approval of the Home Secretary, as the Bill now stands, they could destroy pike during close time?—Yes.

2296. Where they did not form boards proprietors would be able to get rid of their pike in that way?—Just so.

2297. And you think that that would serve them right for not forming boards?—If they will not form a board, of course it is difficult to say what they would do; I do not consider it possible to work in any other way.

2298. Under this Bill they have no power to get pike exempted from close time, unless there is a conservancy board, so that if they wish to have pike and other fish exempted from close time, the only way to get that exemption is by forming conservancy boards?—Yes.

2299. You agree with what Mr. Walpole said, unless they formed those boards, it would serve them right not to be able to kill their pike?—Yes, I agree with him on that point.

Mr. Bristowe.

2300. If I understand you you say you agree with the Bill; when you spoke about destroying pike and perch, you meant that in what would be called salmon and trout rivers there should be the fullest power to destroy pike and perch at all times?—I think not in the close season.

2301. You would not approve of a power to destroy pike and perch during the close season even in trout streams?—No, certainly not in my district at any rate; I know what the people are there; they would always take any opportunity that they could get of destroying other fish than that which they were pretending to do.

2302. Therefore that is really one of the main reasons why you are in favour of the Bill?—Yes.

2303. And to have a close time for coarse fish as well as the better class of fish?—Yes, and to have a central controlling authority.

2304. When you speak about this Lake District Association, I presume that is a voluntary association of proprietors?—There was a public meeting convened from the whole of the Lake district; the counties of North Lancashire, Cumberland, and Westmoreland held a meeting, and there was a committee elected; it was a voluntary association.

2305. To carry out the preservation as far as they can amongst themselves?—Really to set on foot Parliamentary action.

2306. But

*Mr. Bristowe*—continued.

2306. But having at present no Parliamentary power?—None whatever.

2307. And you stayed your hands on hearing of this Bill?—Yes; in fact we first thought of trying to get an Act of Parliament passed for our own district, but afterwards, on conferring with Mr. Mundella, we thought we might accomplish our object through this Bill if we could get our cases inserted.

2308. You have not been asked any question about the mesh of the nets; have you any observations to make upon that matter?—I have had a good deal to do with framing this Sub-section 6 E, and I am rather inclined to agree with it; the only question is, whether the mesh should be four inches; it is to be an inch mesh, and the only question is, whether each side of the mesh should be an inch, or whether it should be five inches when measured outside. Under the Solway Salmon Act they make the mesh, which has practically speaking four sides, an inch each, to measure five inches round outside; I presume that that is on account of the knots; that is the only point, whether it should be four inches or five inches.

2309. Therefore that clause in the paper to which you have referred embodies your views with regard to nets?—Quite so.

*Mr. Arthur Bass.*

2310. You have, no doubt, considered the question of the penalty for buying or killing fish out of season; are you aware that in the Norfolk Act the maximum penalty is 10 l.?—Yes.

2311. Do you think that is a better amount than in this Bill; we were told by one of the Norfolk witnesses that in his opinion 40 s. would be of no use at all?—I think, knowing the decided feeling in that district to which I refer, and to which I belong, in favour of protection from poaching, a larger penalty would be better, I think 40 s. would not be sufficient. The penalty should be optional with the authorities, who inflict it up to the full amount allowed.

*Mr. Rodwell.*

2312. As I understand you, you look upon those pike as a sort of vermin?—Yes we do; they destroy other better fish.

2313. Did you hear the evidence given from the East Anglian witnesses, Cambridgeshire, and those districts?—No, I did not.

2314. If this Bill were to pass, you would make some exception with regard to the right to kill pike where they were considered vermin in the view of the conservators?—The Fishery Board would exempt where they thought they ought to be exempted, as they would understand the local circumstances.

2315. Unless that were the case there would be a difficulty in making one law applicable to the whole of England?—Yes, I should think that would probably be so.

*Mr. William Lowther.*

2316. I think I understood you to say that you have a lake of your own; where is it?—Esthwaite.

2317. Do you not think that the landed proprietors are able to protect their own rights over their own fish in their rivers?—No, I do not.

2318. Why not?—Because in very many cases

*Mr. William Lowther*—continued.

of lakes, fish go up to spawn in the spawning season to the small streams that run into the lakes at the further end, and they congregate there in greater numbers to spawn, and they are destroyed and poached while actually spawning, so that more harm can be done to the fish in the fortnight that they are spawning than in the whole of the rest of the year after. That is when the principal poaching is done.

2319. But can you not protect your own fish in the rivers?—It is difficult to get unanimity of action. Perhaps one proprietor will protect and the next man will not. The rivers are not all in the same hands.

2320. Do you belong to the conservancy board yourself?—I am a member of the Kent Salmon Fishery Board, and I am also a fishery proprietor myself in Windermere.

2321. I think you said that you were head of the Fishery Association?—Yes, I am chairman of the Lakes Fishery Association.

2322. Have you got a list of the members of your society?—No, I have not.

2323. What is the feeling now with regard to the formation of boards in the north; is it in favour of them in general?—A great many are and many are not, in favour of them.

2323\*. Are they mostly for or against?—So far as I know personally I should say they are mostly for on my side of the country. I believe, on the opposite side, in Cumberland, it is not looked upon with such favour; but in my part of the country round about Windermere and Coniston, and thereabouts generally, the proprietors are in favour of it.

2324. Do you know the Penrith district at all?—I do not.

2325. White fish is not an article of food at all for common consumption in Windermere, is it?—No, not in Windermere.

2326. It is not sold much in the market?—Whatever there is in the way of coarse fish goes to Manchester.

2327. Does much go to Manchester?—I do not think there is a very great amount; but all my coarse fish from Esthwaite goes to Manchester. My water-bailiff sends it all there.

2328. Do you know what amount you send in a year?—I took about 600 pike out of the lake last year and about 600 the year before.

2329. Do you ever send fish in those three months which are proposed for a close season?—That is really the best time when one looks upon a pike as vermin, to destroy it; and if the Act came into operation, and we were put under a Fishery Board, the first thing I should do would be to apply to the Fishery Board to exempt me during those months.

2330. I think I understood you to say you wished to make Windermere into a private water?—Windermere is divided between and belongs to 11 proprietors; there are 11 large estates around it, and each one has a fishery. We have consulted as to whether it would not be possible for us under our fishing rights to simply say, The fishing in the lake belongs to us, and we do not intend anybody else to fish here without previous consent.

2331. Is there not a Lord Lonsdale who lives in your neighbourhood, who has some rights in Windermere?—Yes, Lord Lonsdale as lord of the manor, I understand, claims the soil, but we do

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Sandys.

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Mr. William Lowther—continued.

do not think that his Lordship can hold the water and the fish against us.

2332. If I am not mistaken, nobody can put out a jetty or anything in Windermere without applying to him as lord of the manor?—That is his soil right, and we do not oppose him on that; but as to the water and the fish, I have gone through a trial on that very point about Esthwaite, so I am rather well up in that. We think that Lord Lonsdale would have the right of the soil at the bottom of the lake, but the fish and the water, we think, belong to us.

2333. He would have a right over the bottom of the lake, but not over the water that went over the bottom?—No, they are separate and distinct rights.

2334. He had no right in Esthwaite had he?—None, whatever.

Mr. Mundella.

2335. You are acquainted with the report of the Commissioners, Messrs. Buckland and Walpole, upon the Lake district?—I have read it.

2336. Do you approve of its general recommendations?—I do. The report did not go quite so far as I should have liked in some things, but doubtless there were reasons for not doing so.

2337. Practically you approve of the preservation of what is called coarse fish except so far as that preservation comes in collision with the protection of salmon, trout, and char?—Yes, quite so.

2338. Under the existing Acts you can only form a conservancy board where there are salmon?—Yes, I am aware of that.

Mr. Mundella—continued.

2339. And you are aware that under this Bill it is proposed to extend that right?—Yes.

2340. And in that case, you believe you would avail yourself of its provisions to extend your board of conservators to the whole district?—I would.

2341. And then where there were no trout and char, you would protect the coarser fish in that case?—Yes.

2342. And you would have a close season for the coarse fish, both against nets and angling; would you?—Yes, where there were no trout or char or salmon.

2343. You said that you were one of the proprietors of Lake Windermere, and that there are some 10 other proprietors; and, as I understood, you were thinking of closing Lake Windermere, and making it a private water?—We were going so far as to see what our position was in the eye of the law if we attempted it. We should not do it without being well-advised, of course.

2344. In that case, you would have the right to claim a license from any person fishing in the lake?—That was the object.

2345. Should you object in that case, supposing you 11 proprietors could maintain your rights to come under the operation of this Bill; I mean, should you object to the fish being preserved; that is to say, to there being a close season?—Most certainly not.

2346. You think there ought to be no objection to that?—None whatever; and I do not think that there would be any objection on the part of any of the proprietors in Windermere.

Mr. A. D. BARTLETT, called in; and Examined.

Chairman.

Mr.  
Bartlett.

2347. You come here, do you not, on behalf of the Zoological Gardens?—Yes.

2348. Having looked at this Bill as intended to form a close season for fresh water fish, do you see any objections to it as regards its possible operation in preventing the supply of fish that you want for your birds and other things at the Zoological Gardens?—Yes, I do. In the first place, we have in the Gardens a large number of extremely rare and valuable birds and other animals, that feed entirely upon living fresh-water fishes. The fishes they consume are of a very small size, from an inch to three or four inches; never more than that. The fish consists, principally, of roach, dace, and gudgeon, and we consume a large number of those small fishes, upon the average, nearly 6,000 a month. I find that those birds and other animals cannot be kept, and will not exist, except on living fish; they will not eat dead fish or any other substance. I failed in my attempt to keep a large number of fresh-water fish alive for a month or six weeks. The water that we use is partly from an artesian well, 370 feet deep, and those fresh-water fish appear unable to live in it; they become covered with a fungus growth and die. Therefore, if we were to be restricted to lay in a stock of fish for two or three months, our birds would be starved in consequence of not having food, for I could not possibly keep that number of those small fishes alive in the Gardens.

2349. What is your proposition to avoid this difficulty?—If permission was granted that, for

Chairman—continued.

scientific purposes, for the purpose of feeding those rare and valuable animals small fish might be obtained, I think the difficulty would be got over.

2350. Where do you mostly buy your fish?—We have a fisherman who brings a quantity, 500 or 600, twice a-week. The greater portion of them are caught in the Regent's Canal; but he has to go to other parts of the country, other portions of the canal not immediately about the Gardens. He has permission from several places to obtain those small fish for our use.

2351. Would your suggestion be that this particular fisherman, or any other man, authorised by you should be allowed where he has permission to go and catch those small fish in the close season?—I think it would probably answer the purpose, if permission were given to him; but then there would be this difficulty, I should not always be able to depend upon the man; I might have to change him. Fishermen are generally people who are apt to get permission to do one thing, and to go and do another, I am sorry to say.

2352. There are other societies, I daresay, besides yourselves, who might desire, and might legitimately be allowed, to get fish during this close season for scientific purposes?—Quite so. There are many in existence in England; the various Aquaria require living fish.

2353. Then would the insertion of the words, "For scientific purposes meet your view"?—I think so.

2354. Are

*Chairman*—continued.

2354. Are you aware of any Act where those words exist; they exist, I believe, in the Salmon Acts, do they not?—Yes, they exist in the Salmon Acts.

2355. Have you considered this question with the directors of your Gardens?—I have done it for some time.

2356. And possibly with other authorities, naturalists?—Yes.

2357. And in their view and in yours, the addition of those words to the Bill would meet your difficulties?—Yes, I think we all agree upon that subject.

*Mr. Mundella.*

2358. You understand, I suppose, that Mr. Buckland and the promoters of the Bill are quite willing to admit your claim in that respect, and

*Mr. Mundella*—continued.

to put in words similar to those in the Salmon Act, which would allow of the taking of fish for scientific purposes and for the purposes of Aquaria?—Quite so.

*Mr. William Lowther.*

2359. Do you know how many Zoological Societies there are and Aquaria in England?—No, I cannot answer that question at the moment, but I should think, probably, 30 or 40.

*Mr. Rodwell.*

2360. May I ask you, as a matter of curiosity, do your birds consume the fish in the spawning time?—All the year round.

2361. They are not unwholesome at that time for the birds?—No, the birds eat them daily.

*Mr. WYBROW ROBERTSON*, called in; and Examined.

*Mr. Mundella.*

2362. You represent the Westminster Aquarium?—Yes; on the same grounds as Mr. Bartlett has come before you, I should come with respect to Aquariums. We use a very great number of fish. We are obliged to use them at all periods of the year. Last week we used 1,100, and we vary from 600 to 700 per week sometimes, more or less. That is for feeding the large fish that we keep in the Aquarium, and other animals; seals, which are not real fish; and the whale, which is not a fish, eat a good many, if we can only keep him.

2363. Would such an exemption as Mr. Bartlett has asked for, meet your views?—Yes, I believe it literally arose from our naturalist, Mr. Carrington, who is present, and who communicated with Mr. Bartlett, pointing out the desirability of such a clause being inserted, and we have communicated with the other Aquaria in the country, and they have rather looked to us to represent them on the point.

2364. But you have been informed that the promoters of the Bill desire to meet your views in that respect, and to insert your clause?—Yes, I believe so.

*Mr. William Lowther.*

2365. Where do your fish come from now?—We get them where we best can.

*Mr. William Lowther*—continued.

2366. Where is that?—From various fishermen; from different districts they report to us that they have certain fish, and we telegraph down; we get them where we best can. We are not dependent on any one supply. If we were to be dependent on any one supply we should fail continually; I should think there are, perhaps, 10 or 15 fishermen who supply us with fish alive.

2367. You transact the business through somebody else; you do not yourself correspond with the fishermen, do you?—No; Mr. Carrington, our naturalist, if any details are required respecting that matter would answer such questions more completely than I can do.

*Mr. Rodwell.*

2368. What is the size of those fish on the average that you get supplied for food for the Aquarium?—I suppose from two to three ounces up to half a pound in weight; a great many of them are very much less, of course.

2369. Are they principally dace and roach?—Yes, principally, I think, dace, roach, and gudgeon.

2370. I suppose perch would not do?—No; but I think, perhaps, that on these details Mr. Carrington, our naturalist, would give you much more particular information than I should.

*Mr. JOHN T. CARRINGTON*, called in; and Examined.

*Mr. Mundella.*

2371. You have heard the evidence of the two preceding witnesses, have you not?—I have.

2372. Do you agree with them as to the necessity of such a clause as has been indicated?—I do.

2373. Did you communicate with me with regard to such a clause?—I did.

2374. And was it arranged that such a clause should be introduced into the Bill?—It was.

2375. Have you anything further to state with respect to this matter?—I wish to draw attention to the fact that we have hitherto had no artificial propagation of those fresh-water fish mentioned in the Bill. At the present time in two Aquaria which are in course of construction there is con-

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*Mr. Mundella*—continued.

siderable capital set apart for that purpose. We also at Westminster propose, after a short time, to do something of the same character, and to give facilities for studying the early embryonic forms of coarse fish.

2376. Is that solely for scientific purposes, or with a view to increasing the production?—Solely for scientific purposes at present, but no doubt it will lead to further increase of production.

2377. Are you acquainted at all with the habits of coarse fish?—Simply in Aquaria I know the habits of many, but I should not like to speak with regard to those out of Aquaria.

2378. Have you formed any opinion about this Bill

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*Mr. Robertson.*

*Mr. Carrington.*

**Mr. Carrington.** Bill generally as to its desirability or otherwise? —I think the Bill is a very good Bill so far as it permits rod fishing, but I think netting without proper restrictions is very inadvisable.

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2379. You would also restrict netting?—Yes, I would restrict netting but not rod fishing. The comparatively small amount of fish taken out of a stream with the rod I consider does not affect the whole stock as regulated by nature.

2380. Not as compared with the mischief done by nets?—No.

2381. You are in favour of a close season against nets?—Yes; but we now ask for permission to use nets when necessary for scientific purposes.

2382. You mean for taking such fish as are requisite for Aquaria and scientific purposes?—Yes, it being impossible to keep fish in confinement for any length of time, and then successfully to spawn them artificially.

**Mr. William Lowther.**

2383. Therefore you never would be able to raise fish enough to supply the Aquarium?—No; we should require more space than almost any Aquarium can afford to give, from its capital.

**Mr. Rodwell.**

2384. What do you pay per lb. for those fish?—We do not buy them by the lb.; we pay from

**Mr. Rodwell—continued.**

5s. to 10s. a hundred fish. In one or two instances we have paid so much as 25s. a hundred, because at that particular time our animals were starving. For instance, at this time of the year, supposing I had men who collected for me, at Whitsuntide I should not get these fishermen to fish during the holidays; they would probably be on the spree. I know to a trifle what we require, but there are times when we get additional animals suddenly, which we do not expect, and that increases our consumption; if you do not permit us to have some exceptions in such cases, we, like Mr. Bartlett at the Zoological Gardens, and the other Aquaria, must let our animals starve for want of food.

**Mr. Mundella.**

2385. Could you give us an idea of the average weight of 100 of those fish?—I could not. They vary from an ounce and-a-half up to half a pound, or three quarters, but never above three quarters of a pound, or they would be too large for our purposes.

**Mr. William Lowther.**

2386. You do not know from what part of the world they come?—No, I never inquire; I get them from anywhere I can, but usually from private waters where the fishermen pay for, or get permission to fish.

**Mr. JOHN FOSTER, called in; and Examined.**

**Mr. Foster.**

**Mr. Mundella.**

2387. You are River-keeper on the Trent, in Nottinghamshire, are you not, at Caythorpe?—Yes.

2388. Is the river preserved there?—No, not particularly preserved. On the one side of the River Trent it is strictly, and on the other side partially.

2389. It is strictly preserved on one side, and partly on the other?—Yes.

2390. What are your duties as river-keeper?—To look about and watch that nobody poaches on private fisheries, and to catch fish, and assist my masters when they come fishing.

2391. Are you in favour of a close season for white fish?—Yes.

2392. Is that the general view of the fishermen in your district?—Yes; I have made it my duty to ask every one I have met with for months, and being a strict observer in all fishing matters, I have paid strict attention to get the opinion of all that I have met with, and I meet with many hundreds, I may say.

2393. The people that you meet with are not exclusively members of fishing clubs and anglers, are they?—I meet with all sorts. I meet with honest individuals, to my mind, and some rather not to my mind.

2394. Some I suppose are poachers?—Yes.

2395. But you think that the general feeling is in favour of a Bill which shall give a close season for coarse fish?—Yes.

2396. Are you in favour of stopping angling during the close season?—Yes.

2397. Do you think that much mischief would be done by angling during the close season?—Yes, a rod and line is a dangerous weapon in not a good sportsman's hands.

**Mr. Mundella—continued.**

2398. You mean to say that during the close season there are some fish that will feed freely, and which are easily taken with a rod and line?—Yes, my long experience teaches me so. I have myself caught them when I did not know any better, with the spawn running out all over my basket, and so on.

2399. Can you tell us whether fish taken in that condition are really fit for food?—They are not.

2400. But there are some people who eat them, are there not?—Yes, there are some people who will eat fish for the sake of eating fish. I have arrived at that opinion.

2401. But fish taken in the spawning season are quite unfit for food, are they not?—Yes, I could not eat one now knowing better; I could not eat a roach now, but I could enjoy it in the winter months.

2402. Are there many thousands of people who come from Nottingham and the neighbourhood to your part of the river?—Yes, more than to any part of the River Trent.

2403. They come from the manufacturing districts round, do they not?—From Nottingham principally; in fact, it is all Nottingham; they come from Radford and all that district.

2404. From all the manufacturing towns and villages along the line of the Trent?—Yes, I know hundreds and hundreds of anglers; there are not many fishing there that I do not know.

2405. Are they generally a pretty steady set of men?—I find some of them are very creditable, and some I should not like to see.

2406. Do you suffer much from poaching on your side?—I consider that many of them are poachers,



Mr. Mundella—continued.

poachers, and I should like to see them stopped myself, and made to learn to know the same as I have learnt myself when fish is in season and out of season.

2407. Supposing this Bill was to pass, and a close season was established for white fish in the Trent, do you think that the anglers themselves would help to carry out the law?—A good sportsman, a good angler, one who goes angling for sport and pleasure and uses fishing as a sport, would.

2408. You mean to suggest that sportsmen would do all they could to enforce the provisions of the Bill?—Yes, I know hundreds in Nottingham would do that.

2409. Do you think that they are willing to give up their sport during this close season?—Yes, I meet many a one that is willing to give it up; I did as late even as yesterday morning.

2410. With the view, I suppose, of getting better sport during the rest of the year?—Yes, the observation of one of them yesterday morning was, we should get more fish in the eight months than we do now in the whole year.

2411. Fish is readily consumed in your district; they are glad of all the fish they can get, are they not?—Yes; I could go into Nottingham of a Sunday night, and go into the club-houses, and see them standing in the scales selling them just as if they were selling ourrants in the market.

2412. You know that white fish can be sold in the Nottingham market?—Yes.

2413. What is about the price?—Roach and dace will make from 3 *d.* to 3½ *d.* a lb.; pike will make 6 *d.* as readily as possible, and perch will make more than 6 *d.* Mrs. Browne, who used to keep the "George" Hotel, readily gave 2 s. 6 *d.* or 3 s. for a good brace of grayling.

2414. The fact is, that the poor people buy with avidity the coarse fish, and the better classes buy the finer fish?—Yes; I know people who get plenty of food who would be very glad of a pike in November.

2415. A pike in season is not bad eating, is it?—It is not, and there are many other fish that are not bad eating in season; for instance, roach is not; it is a very good fish of a morning on a piece of bread.

2416. Is there much netting in the River Trent?—Yes, too much.

2417. Do you think that to stop netting during the close season would materially increase the fish?—It would certainly be a great benefit towards it.

2418. And you would stop the sale of all fish in the close season, would you not?—Yes.

2419. During what months would you stop the netting?—I should say from the 1st of March to the 1st August for netting and sale, and from the 21st of March to the 21st of June for rod and line fishing. I made that observation years since through the "Field."

2420. Have you ever seen salmon come up the Trent as far as Caythorpe?—Yes, I have seen them myself, and I have been sorry to see them destroyed as I have seen them.

2421. How have they been destroyed?—They have been shot at, and I have seen them cooked, and have been in the house where they were cooked. There was another salmon there this year, and a great many people have been looking after it.

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Mr. Mundella—continued.

2422. If there is a salmon there, are all the population after it?—Yes, it is very wonderful, however, for the fish to come up the Dover Beck; I have seen them in the Little Dover Beck, between Caythorpe and Hoveringham. It is a fine stream if it was not polluted by a paper mill there; that is a great drawback to the trout fishing in it.

2423. Generally, I conclude, you are in favour of the objects of the Bill?—Yes; only I should like to see the prohibition of netting extended a bit further.

2424. How much further would you recommend it?—To the 1st of August.

2425. Would you recommend that all night netting should be stopped?—No, you could not get sufficient baits and fish for the birds, and so on; every man that used a net, fishing in the River Trent, or any other fresh-water river, I should say ought to have a license to use a net of less than one inch from knot to knot.

2426. That is a very small net, is it not?—Yes, it is a very dangerous thing in a wrong man's hand. I have known 40 fish to be taken in one field, and the 40 fish did not weigh 10 lbs.; that was what we call "cleaching" with a small mesh net. I am bound to go with these nets to get bait for pike fishing.

2427. Do you think that it would be a reasonable provision, that for the purpose of taking bait no netting should take place between sunset and sunrise?—No, I think it would be unreasonable to stop bait catching at night.

2428. There is a good deal of net fishing done, is there not, by local poachers at night?—Yes, there is.

2429. And that leads not only to a great deal of indiscriminate destruction of fish but to a good deal of damage to the land, to trees and fences, and all the rest of it?—Yes, there is a deal of night-poaching, you may depend. If they have got any fishing tackle on them, it is a sort of passport to do mischief. From long experience I have seen a lot of that. I have seen some parties with whole bags full of hares in the morning, but the gun license stopped a deal of that, and I have not seen so much of it since that came in.

Mr. Rodwell.

2430. As I understand you, you are a private keeper?—Yes, to Mr. R. J. Hardy, of Stoney-street, Nottingham.

2431. Has he any private rights of fishing?—Yes, he has a private right from Magdalen College, Oxford, who has an equal right with H. Martin, J.P., as joint lord of the manor.

2432. Does he let his fishing or use it himself?—Magdalen College, Oxford, gave it to him; he uses one half, and Mr. Martin the other.

2433. Does he authorise you to come here and say that he wishes to be deprived of his rights of fishing during the months of March, April, and May?—He would have no objection to anything that I propose; but I cannot answer for Mr. Martin.

2434. Does Mr. Hardy approve of this, that he should not be allowed to fish in his private waters during the months of March, April, and May?—Yes.

2435. Has he been fishing during this March, April, and May, himself?—No.

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2436. Then

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Mr. Foster.

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Mr. Rodwell—continued.

2436. Then he makes it a close time?—He has not fished these two or three months, only for trout.

Mr. Mundella.

2437. During the close season that is proposed, he does not fish for white fish?—Never; we never go pike fishing till the cold nights come in August.

2438. You say you have spoken to a good many people about this?—Yes.

2439. And the people in your part of the country are willing to give up the right of fishing for three months?—It is the Nottingham anglers that I have spoken to. I have directed my attention to them, and every fisherman that I could meet with I went before to get his opinion about the fishing.

2440. That is to say, in order that they may have better sport for the rest of the year, they would wish to have a close time?—Yes.

2441. Do you really think that catching a few fish with rod and line during those months would materially affect the number of fish in the stream?—Yes.

2442. How many fish does a man catch in a day?—I have known the time when I have caught a hundredweight of chub in a day with rod and line, with the spawn running out of them.

2443. Can you do that now?—No; the fish has got so scarce to what it used to be. You get an immense quantity of fish just at this time when they congregate together for breeding purposes, by just throwing a net round about them.

2444. You do not mean to represent that it is a common thing for people to get a hundredweight of fish with a rod and line in a day in that river?—That was in days gone by.

2445. Did you ever do so more than once?—No; that was one Whitsuntide, 25 or 26 years ago.

2446. I suppose those Nottingham people, when they come there, if they catch four or five pounds, it is a good day's sport for them?—Yes; it takes a good fisherman, as a rule, to get that weight of fish.

2447. How many people fish in this piece of water belonging to Mr. Hardy?—We have both sides of the river, but on one side we are not so strict, and have allowed the privilege of rod fishing to a considerable number of anglers.

2448. You keep them off your side of the water, do you not?—Yes, strictly on one side, and partially on the other.

2449. What you want is to keep them off the other side during those three months?—Yes.

2450. The people that come now to fish on the free waters you represent as willing to have that restriction, do you?—Yes.

2451. Why do they come now if it would be to their interest not to do so?—I compare it to something like a drunken man; they will never let a drunken man be governor of them; they would advocate something good or better than they do themselves.

2452. I suppose if you had a choice between stopping netting and rod fishing, you would not hesitate a moment to stop netting, inasmuch as netting does a great deal more harm?—I should stop netting above all things.

2453. I suppose you would like to stop netting the whole year round?—No, my master enjoys a

Mr. Mundella—continued.

bit of netting some odd times for a roach in the winter months.

2454. What fish have you got in the Trent; are there any trout there?—I never caught but one trout in my life in the River Trent.

2455. How far are you from Nottingham?—Ten miles.

2456. I suppose the people come by railway to you?—Yes.

Sir Robert Buxton.

2457. How long have you been connected with the fishery in the Trent?—All my life; I was born on its banks, and have been a fisherman all my life, and I have been in Mr. Hardy's service getting on for 19 years.

2458. During that time the fish have sensibly diminished in the river?—Yes.

2459. Did it never occur to you that that might be from the increased number of anglers?—No; there was more fish caught before.

2460. Do not more people fish now than used to do 20 years ago?—Yes, there is 50 to 1.

2461. Does not it occur to you that the diminution of fish has been in consequence of the increased number of fishermen?—I do not attribute it altogether to that.

2462. You say that there are 50 times more people fishing than there were 20 years ago, does not that occur to you to be one of the causes of the scarcity of fish?—Yes, it is one cause of the scarcity of fish, certainly.

Mr. Bristowe.

2463. The honourable Member has put it to you that you want to stop the free fishing on the other side of the water during close time?—Yes, and to stop ourselves too.

2464. You do not want to put upon others that which you are not willing to do yourself?—No, that is my profession.

2465. You are in favour of preventing angling during the months when it is close time, as well as of forbidding netting?—Yes.

2466. Why would you stop angling as well as netting?—For this reason, that it is unsportsmanlike to catch fish during this time, as they are not wholesome, and are unfit for human food.

2467. You know the Trent pretty well; if angling were allowed with rod and line, would there be people about fishing with lines without a rod?—Yes.

2468. And plenty of them?—Yes, there would be many, too many of that class.

2469. Have you what you call drag-dogs there?—We have night liners, and snatching tackle as we call it in Nottingham.

2470. If angling with rod and line were permitted, would you not have great difficulty in stopping that?—Yes; making it illegal to sell coarse fish would stop a lot of it, because those fellows go out for a mere threepence if they can get it.

2471. You say that there are scarcely any trout in the Trent now, and there have not been for a long time?—No; there is no grayling or perch either. I have not caught a perch these years with cleaching, but I have caught hundreds in my time.

2472. Have you got any burbolt or eel pont in the Trent?—Yes, a very good neighbourhood is mine for burbolt.

2473. Are burbolt as abundant as they used to be?—I do not see any difference. I see men catch

*Mr. Bristowe*—continued.

catch them with their night lines; that is all the evidence I can give about them. They catch them when they are spawning, and they can only get them with night lines. They catch them in March and April months when the Trent is wonderfully low and fine, from the 1st of March up to now.

2474. What sorts of fish do you think in your time have been reduced very much in quantity?—Pike, barbel, and almost all sorts, the minnow especially, and I have not seen one perch caught this year.

2475. Used there not to be plenty of perch?—Yes, any amount of perch. I have known a cartload caught at one haul in the water that I look after now.

2476. In what part of the year was that?—That would be in spawning time; and I have seen a cartload of pike caught at one haul in spawning time on an Easter Monday in the same water that I look after now.

2477. That would not encourage the breed of fish?—No.

2478. You think that the fishermen, the stockingers, and people in Nottingham who go out fishing, would be in favour of this Bill?—Yes, I have no fear of meeting any one of them. All of them, more or less, would be of my opinion. Some of them would want to begin to fish for dace in April and May. Dace is the first coarse fish that comes into season. It spawns the first of any coarse fish that I know.

2479. If this Bill were to pass, they would be forbidden to do that, would they not?—Yes.

2480. Do you think that that would make any difficulty in enforcing the law?—I do not think so.

2481. The vast majority of men that go out fishing from Nottingham, although some belong to clubs, are quite of the artisan classes, are they not?—Yes, many of them are, and also many well-to-do people are fond of going out fishing.

2482. But are not the greater proportion of them of the artisan class?—Yes, the greatest proportion of them are working men.

2483. And it is with them, you think, that there would be no difficulty at all?—Not at all; I have full confidence in saying so.

*Mr. Stafford Howard*.

2484. There are some people in Nottingham, are there not, who object to this Bill?—I have never met with one that really objects to it. I have come in contact with neither Wild nor Jackson on the matter. I think neither of them advocate entire stopping; they advocate stopping netting, but not stopping rod and line; and they benefit, each of them, by selling tackle; they are fishing-tackle makers.

2485. That is the reason you think why they do not quite approve of this Bill?—There may happen to be something in it.

2486. Are there any other persons that you know of who object to this Bill?—None. I have met with artisans who wanted to go and fly-fish for dace in April. There were two men in my boat yesterday who were fishing for dace, and I said, "Supposing you were to catch a roach, you would shove it out of sight, if I was a water bailiff," and not being much of fishermen, they said they should like to take it perhaps. Probably they should have a right to it 0.110.

*Mr. Stafford Howard*—continued.

if they caught it, and they would not like to throw it back again.

2487. That is the only opposition that you know of in your district?—Yes; if I had time, to think, I might call to mind an individual or two more perhaps.

2488. You believe that the great majority are in favour of the Bill?—Yes.

2489. And you are sure that it would be welcomed by all classes?—Even if they were not exactly in favour of it, knowing that I was a strict sportsman in the matter, I do not suppose that they would like to say to me anything to the contrary, as if they were afraid of giving offence or something of that sort.

*Mr. Isaac.*

2490. I think you say you have not seen Wild or Jackson?—No, I have not. I am quite familiar with them, but I have not seen them on the subject.

2491. So that the evidence you have given, having regard to their opinion, is only supposition on your part?—Only.

2492. You have never spoken to either the one or the other, as regards their opinion on the Bill?—No, it is only through what I have seen that they have said in the "Field" newspaper.

*Sir Andrew Lusk.*

2493. You say that the fish are getting much scarcer now than they used to be 20 years ago, during which time, I think, you say you have been a fisherman?—Yes, for Mr. Hardy.

2494. What do you think is the reason of the fish being scarcer?—Not using them honestly; not using them as good food and honest sport; but the biggest drawback, I think I may say, I believe is the impurity of the water.

2495. Do you think it is from over fishing, or is it because of the manufactories and minerals?—I believe I can account for the scarcity principally through the impurity of the water.

2496. You think that the impurity of the water has reduced the quantity of the fish?—Yes; I think that is the biggest thing that we have to contend with, respecting the number of fish.

2497. How would a close season help you if that is the case?—If we kill the cows we cannot have calves, and if we kill all the female fish, we cannot expect to have any young ones from them.

2498. You think that the impurity of the water is a great evil, and that the want of a close season is another evil?—Yes.

2499. And if you cannot do away with both, you would like to do away with one of them?—I hope to see the time when we may do away with them both. They are doing very well in that direction in Nottingham. I am very pleased to see the work done there.

2500. If you were to destroy all the eggs, you would not have many birds?—No.

2501. And if you destroy the fish when they are spawning, you cannot expect to have many young fish?—No.

2502. Do you think it would be for the good of the public to have a close season to preserve the fish whilst they are spawning?—Yes.

2503. And do the sportsmen in your locality think so too?—Yes; I believe that there would be many hundreds in this country if they knew that

*Mr. Foster.*

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Mr. Foster.

Sir Andrew Lush—continued.

7 June 1878. that they were fish that were out of season, who would not eat them. It is a thing that has not been looked after, respecting the season in fish. The nature of fish has not been known sufficiently, and through that people are ignorant whether they are good or whether they are bad. All fish that come to the net is the same thing to many hundreds.

2504. They were doing evil, and they did not know that they had been doing so?—Yes.

2505. You think that if it was known to them, they would all acquiesce in it, and be agreeable to a close season?—Yes.

2506. That is, so far as your experience goes?—Yes; and years ago I thought so.

Mr. Rodwell.

2507. You think that they would give up their Whit-Monday holiday and not fish?—It may be a great denial to some of them at first, but it would only be a pleasure to a good honest sportsman.

Mr. Mundella.

2508. They are doing a good deal, are they not, to remedy the pollution of the river at Nottingham?—Yes.

2509. The Rivers Pollution Act is being operative in improving the River Trent, is it not?—I have not seen any improvement in our Trent yet.

2510. I thought that they were making very extensive improvements in Nottingham, with the view of preventing the pollution of the river?—They have not got the water clean yet.

2511. There are very many thousands of pounds being spent in Nottingham, with a view

Mr. Mundella—continued.

of getting rid of the sewage elsewhere than through the river, are there not?—Yes. The sewer is laid out along the Nottingham and Lincoln Branch of the Midland Railway.

2512. And the Trent will be much better when that work is accomplished?—Yes; but there is Derby and Leicester, and Burton to contend with. I do not know how they are going on there, and they all come into the Trent.

2513. You said that you had seen a cartload of perch taken out of the Trent during the spawning season; do you know that there is hardly a perch now to be found in the river?—I have not cleached one this year.

2514. That is the natural result, is it not, of such an improper way of dealing with the fish?—Yes; there are no perch now.

2515. You believe that the fishermen generally, and you have spoken to hundreds, are in favour of a close season?—Yes.

Mr. Isaac.

2516. Have you many of those factories which make the water impure near your water?—No, we have only one paper mill on the Dover Beck.

2517. That is some distance from you, is it not?—It is, perhaps, five or six miles.

2518. So that the fact of this impurity of the water could not have affected your fishery?—Not in the River Trent.

Mr. Mundella.

2519. It is the sewage which has affected your fishery?—Yes.

Mr. THOMAS MACHELL, called in; and Examined.

Mr.  
Machell.

Mr. Mundella.

2520 You are from the Lake district?—Yes.

2521. Are you acquainted with the report that has been made by Messrs. Buckland and Walpole, as to the fisheries of the Lake districts?—Not entirely. I have read parts of it.

2522. Are you familiar with the recommendations of that report?—No.

2523. Are you in favour generally of a close season for the Lake district?—Yes, a very strict one.

2524. Are you in favour also of a Conservancy Board for the whole of the Lake district?—I think that the owners of fisheries should have a right to deal with their own property in some manner or other. They should not hand over their rights to a Fishery Board without reserving some power to fish themselves and to grant licenses to their friends.

2525. But that is entirely a matter between the owners and their friends, is it not?—I suppose that if they hand over the fisheries to a board they must get leave, and will have to take tickets like the rest of the public.

2526. Do you know anything about the Bill which is the subject of consideration by this Committee?—It is a Bill with respect to fresh-water fish.

2527. Have you examined into its provisions?—It deals with close time, except for trout and char.

Mr. Mundella—continued.

2528. It also provides a close time for trout and char; are you aware of that?—I do not think I have read it to that extent.

2529. At present there is no close time for trout and char, except in salmon rivers?—Under the Solway Act there are, I believe, some restrictions.

2530. If this Bill gives a close time for trout and char, where there is no salmon, do you agree with that provision?—I think there should be a close time, certainly.

2531. Are you in favour of the preservation of the coarser fish?—About the district that I fish generally, Ulleswater, Haweswater, and Angletarn, we do not like perch at all, because we have trout and char there.

2532. When you want to breed trout and char, you wish to get rid of predacious fish?—Certainly.

2533. But where there are no trout and char, what would you say?—Then, I think, the Bill is a good one.

2534. Then you would give a close time to coarse fish?—Most certainly.

2535. Are you in favour of a close time for rod and line as well as for nets?—Yes.

2536. You would have an absolute close time during the spawning season?—Yes.

2537. Are you acquainted with some of the draft amendments which have been proposed to be introduced into this Bill, with the view of preserving

Mr. Mundella—continued.

preserving the fish in the Lake district?—I am not.

Mr. William Louth.

2538. Are you in the habit of destroying the spawn of pike and perch?—I have destroyed the spawn of perch in Angletarn, when I could get it.

2539. Do you find it in large quantities?—Yes, in large quantities.

2540. In what month do you destroy it?—When we fish for trout in Spring, we generally take advantage of looking at the bottom of the lake to see if we can find perch spawn, and if we do, we destroy it.

2541. If that power was taken away from you, you do not think it would benefit the trout?—I think that there should not be a close time in those lakes that I have named for perch, because if you encourage the perch it is at the expense of the trout and char.

2542. But there are Fishery Boards, are there not, about Penrith, and that district?—I think there is one about Carlisle; but it does not come so far as Penrith. There are some private associations, but they do not do much good.

2543. Is there a good deal of night poaching there?—Yes, a good deal.

2544. Are there a great many people brought up before the magistrates?—Not many.

2545. How comes it that they are not brought up?—I do not know, except that the watchers of the associations do not do their duty properly.

2546. They happen to look the other way, perhaps, when they see them?—Perhaps there are not a sufficient number of watchers.

2547. You think that the law is not properly enforced in those parts?—I think certainly not.

2548. You think, indeed, that the river watchers are almost useless?—They do not get many convictions in the course of the year.

2549. Some persons have stated that they are in favour of confiscating nets of illegal size, should you be in favour of that?—Yes, I think so.

2550. What do you consider the best months for trout and char?—From about March till June, I think, inclusive.

Mr. Rodwell.

2551. Would you give the police the right to search houses and premises to see whether the people have any of those nets?—Yes, I think I should, certainly.

2552. Your principal object in coming here is to protest against pike and perch being protected, I think?—Yes, in our particular district, where we want to encourage trout and char.

Mr. Mundella.

2553. But where there are no trout and char you are in favour of their protection?—Yes, they may do what they like there.

Mr. Rodwell.

2554. Have you much experience in coarse fishing?—Not much; I may fish perch a little.

2555. You have no experience comparable with those who live in the east of England, in Norfolk and Suffolk?—None whatever.

2556. You would be disposed, in a matter of

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Mr. Rodwell—continued.

this sort, to defer to their opinion rather than your own on such matters?—Yes, certainly.

Mr. Mackell.

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Mr. Bristowe.

2557. If I understand you aright, your view is this, that supposing that in your own district there are rivers which are not trout and char rivers, you would be in favour of this Bill extending protection to the fish inhabiting those streams, if there are such?—I think scarcely that.

2558. Supposing there was that condition of things, are you in favour of those streams being protected with respect to the coarse fish, if they are not trout streams?—If they do not clash with the trout and char.

2559. They would not clash with the trout and char if they were not there?—No; they must preserve the best fish they can I suppose.

Mr. Stafford Howard.

2560. You say you are in the habit of destroying perch roe in Angletarn; have you the run of the fishing in Angletarn?—It belongs to Lord Lonsdale, and I go there with the present tenant, Captain Parkin.

2561. You have been destroying all the perch roe that you can?—Yes; it is a small lake, and if we destroy the perch we give the trout a better chance.

2562. Do not the trout eat the perch?—I think not.

2563. We have had evidence from Mr. Buckland and Mr. Walpole, who said that trout frequently eat small perch?—Perhaps the perch eat the trout as well.

2564. Mr. Buckland said that he frequently caught trout with perch in their mouth?—I should think it was *vice versa*. If I was asked the question, I should think the perch would eat the trout.

2565. You think that all fish eat other fish?—Yes, certain kinds; but I would not like to say anything on that point.

2566. At any rate, you would destroy the perch in order to make room for the trout?—Yes, certainly.

2567. But you are in favour of some increased protection to the trout and char in the Lake district?—Yes, I should like to see some stringent measures.

2568. But you wish the private owners to carry them out themselves?—Where they have the means of doing so.

2569. Where the whole water belongs to them?—Yes, where there are keepers.

2570. For instance, in the case of Angletarn or Haweswater, which both belong to Lord Lonsdale, you think it better that his lordship should carry out the regulations rather than hand over his power to a fishery board?—Yes, I should like to deal with my own property.

2571. You think that keepers will probably look after it better than water bailiffs, or watchers appointed by any board?—I think they would look after the property better than a board would.

2572. In your experience of the watchers in the neighbourhood of Penrith leads you to believe that they are of much use?—There are too few of them for the extent of water that they have to go over.

2573. Of what water are you speaking?—I am speaking now of the Eamont and the Eden.

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2574. A part

Mr.  
Machell.

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Mr. Stafford Howard—continued.

2574. A part of the Eamont and the Eden is under a Salmon Board, is it not, which goes right down to the sea?—Yes.

2575. I suppose you are acquainted with many of the small becks that run into Ulleswater?—Yes, with most of them.

2576. Is not there a great deal of poaching there when the trout go up to spawn?—There is poaching in Martindale and in the Patterdale Becks.

2577. At present there is a law which prevents the sale of trout and char between the 2nd October and the 1st February?—Yes.

2578. But still it is not carried out there, is it?—I think it is.

2579. What do those people do with the fish that they catch?—We imagine that they take them away to the Penrith station, or some small station near, and send them across to Manchester and Liverpool. They are not sold about where they are taken.

2580. The law is useless against the sale of fish?—There may not be so much of that carried on now within the last few years, but they used to be sent off regularly by the early morning train.

2581. Has that been done within recent years?—Perhaps not for two or three years, but I know that they used to be sent five or six years ago.

2582. Do you think that the taking of fish has decreased during close time?—I think it must have done so, but still those men get the fish from about March all through the summer, and send away poached fish.

2583. That is poaching that is taking fish from waters that do not belong to them; but in that case it is the duty, is it not, of the private owners to look after their own waters to prevent poaching?—Yes.

2584. That is their own look out?—It is the look out of the river watchers and owners.

2585. There are no watchers in the Ulleswater, I believe?—No.

2586. Hitherto the private owners, according to your evidence, have not carried out, or endeavoured to carry out, the Act which now exists for the prevention of the sale of fish, because you state that within your knowledge fish were sent away from Penrith station and other stations to Manchester during close time?—They used to be.

2587. Then the private owners did not look after the fisheries as they ought to have done?—Certainly not.

2588. Have you ever known a case of people being taken up for selling fish out of season?—No, I cannot say that I have these last few years.

2589. You think that the practice has decreased?—It must have done so, or I should have heard of it.

2590. Then probably that has been the effect of the Salmon Act?—Most likely.

2591. Therefore you would agree in the desirability of the extension of the protection for trout and char, provided the private owners were allowed to look after it themselves?—Yes, I should agree to that.

2592. I suppose that you would consider that pike and perch should not be protected at all in the Lake districts?—Where fishery owners want

Mr. Stafford Howard—continued.

to have trout and char, they should have power to destroy perch and pike.

2593. Would you think that pike and perch in the Lake district, which is entirely a trout and char district, should not be protected except where people like to have them protected?—I think it should not be compulsory.

Lord Muncaster.

2594. Would not it in your opinion be advisable that the whole Lake district should be separated, as it were, from the rest of England, and let there be a separate Act for the Lake district?—I cannot speak as to Windermere, because I do not know sufficient about it. They may prefer to have pike and perch there, as well as trout and char.

2595. I take it that at present you think that the law does not suffice, as it stands, for the preservation of salmonidæ, trout, and char?—I should like more stringent measures for the preservation of trout and char.

2596. If the provisions of this Act as to that were passed, would it be sufficient in your opinion for trout and char?—I scarcely know how far it extends. I have scarcely had time to read it and consider it.

2597. Have you to do with any district where there is a board of conservancy?—No.

2598. I think you said just now that you think the private owners can protect themselves sufficiently without having a board?—Yes, I should think so, where they are the sole owners.

2599. But in the case of a river like the Derwent, or rivers which are in the hands of several people where they disagree, so that where one will have a board of conservancy others will not, how would you meet that?—They should decide it amongst themselves; the majority should settle it, but a board might take possession of their property, where they cannot agree amongst themselves.

2600. Then you are in favour of a board in such a case?—Yes; in a case where they cannot agree about their property, if they cannot settle the matter themselves.

Sir Andrew Lusk.

2601. I understand you agree substantially with the provisions of the proposed Act?—Yes; except that we do not wish it to deal with rivers and lakes where we encourage trout and char.

2602. But looking at it as a general law as applied to the country, do you approve of the Bill taking that broad view?—Yes; where they have got nothing better than perch and pike let them preserve them.

2603. Without making an exception of your own district, I ask you, as a general view, as regards the fishing of other districts, do you approve of the provisions of the Bill as a broad law, to apply to the whole country?—Certainly.

2604. You think that there ought to be a close season?—Certainly.

2605. Then it is a good Bill taking it on the whole?—Yes, certainly taking it in that point of view, I should say so.

2606. You think it ought to be applied to everybody else?—I think the Bill is a good one, where they have nothing better than perch and pike.

2607. You

*Mr. Mundella.*

2607. You spoke about Angletarn; are there any salmon in Angletarn?—No; it is a little tarn up amongst the mountains.

2608. But it has trout and char?—There are no char there; there are trout and perch.

2609. As this Bill extends the provisions of the Salmon and Fishery Acts to trout and char, it would, taking Angletarn as an illustration, preserve trout in Angletarn, would it not?—I suppose it would, to a certain extent.

2610. You wish that trout and char should be protected where there are no salmon, do not you?—Yes, certainly.

2611. You think there ought to be a close season against the rod and line for trout and char, do you not?—Yes.

2612. And you approve of the section of this Bill which extends the provisions of the Salmon Fishery Acts to the protection of trout and char?—Yes.

2613. But what you wish, as I understand, is that you shall not be compelled, where you are breeding salmon or trout and char, to keep pike and perch?—That is so.

2614. If this Bill makes provision, or allows proprietors of salmon or trout streams, to destroy pike and perch, that would meet your wishes, would it not?—Yes.

2615. But where there are no trout or salmon, or char, you think it is right to protect other fish, the white fish?—Yes, the next best fish.

2616. On the whole, you think that we ought to make the best use of our waters, and breed in them the best fish that we possibly can?—I think so.

2617. You agree, I suppose, with the recommendations of Messrs. Buckland and Walpole,

*Mr. Mundella—continued.*

who first recommended that in the Lake district salmon, trout, and char should be properly protected, and that there should be a close season for trout and char; and then they recommend that it shall be illegal to fish for pike and perch with nets between the 2nd of October and the 31st day of May, both days inclusive, and with other instruments between the 1st of March and the 31st of May; and they finally recommend that the conservators of any fishery district within such limits shall have power to exempt themselves from the operation of the provisions of any Act relating to the close season for pike and perch; that meets the whole case of the lakes, does it not?—Yes, I think it does.

*Mr. Rodwell.*

2618. Have you gone into this Bill at all, and looked into the provisions except as relating to salmon, char, and trout?—No, I have scarcely looked at it all, I have not had time to do so since I was summoned here.

2619. You do not speak to the Bill except as relates to the Lake district?—Just so.

*Mr. Mundella.*

2620. You approve, as a general principle, of the preservation of the best fish that you can preserve in the district?—Yes; where you have not trout I would preserve the next best fish.

2621. You are opposed to destroying fish while they are spawning in the various rivers and streams of the country?—There is no advantage in destroying them.

2622. Except where you want to destroy them to make room for the better fish?—Yes.

*Mr. FRANK BUCKLAND, called in; and further Examined.*

*Mr. Mundella.*

2623. I THINK you have something to state to the Committee in addition to your former evidence?—I have been round to the fishmongers in London, and I have sent a man to-day to the Jews' fishmarket, but they are all closed to-day, it being a great religious festival or fast, the feast of Pentecost; but I have found out this, that they are the principal eaters of fresh-water fish in London. I have been to several little fishmongers about London, and they say that they do not sell fresh-water fish to our tradespeople or people of the middle class, but that the Jews are the great eaters of them, and they will give very high prices for them.

2624. Sea fish is very abundant in London; it is the first market in the world for sea fish, is it not?—Yes, as regards the sales of sea fish. I have taken a great deal of pains about it, and I have ascertained that the rule seems to be that all salt-water fish with spawn are excessively good eating; to wit, herrings, hard-roed and soft-roed herrings; kelt herrings, that is, spent herrings, are not sold very much; they are no good, but they are used for bait. Turbots will fetch more money when they are full of roe. The same may be said of cod full of roe, as you will see them in the shops at winter time; mackerel full of roe are good; I am sorry to say lobsters full of roe fetch more money. Fresh-water fish are certainly not eatable when they are in spawn. It is a curious

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*Mr. Mundella—continued.*

thing, I do not know the reason of it, but, for instance, salmon full of eggs is not good to eat, nor is roach; and as to barbel, the liver of the barbel is certainly poisonous at such a time. There are a good many other points which I should like to bring before the Committee, and perhaps I may have another occasion of doing so. I want to show the number of miles of water that would come under this Bill. The map on the wall does not show this sufficiently clearly, and I am making a fresh map for that purpose. Mr. Walpole and I always begin our Fishery Report with the Eden, and we work right away round until we come to the Tyne, on the other side of the country. We have a magnificent river, the Eden, running through Carlisle, which is 70 miles long, and has a catchment basin of 916 miles. Salmon do not get much over the Armathwaite Dam. We hope to get them over. Above Armathwaite Dam is another dam connected with the Penrith Weir; above that there are a great many lakes and tarns which contain fresh-water fish of all sorts and denominations. These are very fertile fish farms for the people who live in Carlisle, and as far down as Lancaster and Preston, and so forth. Then there is not much in the Ellen, which is polluted by coal. The Derwent, a grand river, is blocked out entirely by the Cockermouth Weir; it would be a most splendid salmon river if they could be passed

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*Mr. Mackell.*

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*Mr. Buckland.*



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Mr. Mundella—continued.

passed over Cockermouth Weir. The Keswick anglers, a very important body of very intelligent people indeed, fish for skellies, *i.e.*, chub, and all sorts of fresh-water fish, in the lakes which supply the Derwent.

2625. Are there any trout and char in it?—A few, not many.

2626. They are chiefly what are called white fish?—Yes, chiefly white fish in the lakes and tarns. Then we come to a series of rivers, the Ellen, the Mite, and Lord Muncaster's rivers, the Duddon, the Ulverstone river, and other rivers flowing into Morecambe Bay, in themselves not very important, but certainly producing a certain amount, and in some parts a considerable amount, of fresh-water fish. Then coming down to Lancaster the Lune has been altered very much by three weirs at Skirton, Halton, and Forge. The Lune has been made in this district very much more stagnant than she was, and the consequence is, of course, the roach and dace have increased, and there are a considerable number of anglers turning out above these weirs to fish for those white fish. The Ribble is also altered, particularly above the weir at Clitheroe, where there are coarse fish, and the Ribble is frequented by the poor people from Preston and all the Black Country away to the east of it. The Mersey is given up, it is polluted, and we can do nothing for it at all. The Dee is a very important river; on the top of the Dee at Bala Lake, belonging to Sir Watkin Wynn, you will find the gwiniad; these fresh-water herring I believe are fairly abundant; but there are also a great number of salmon fishermen, anglers who come out of Chester, and go up the River Dee, and they fish it all the way along, particularly about Llangollen and Corwen. Then we come to the mountainous district in North and South Wales; we have nothing at all to do with that, because it is a salmon country; the rivers are too rapid for coarse fish.

2627. Are they all under the Salmon Acts there?—Yes.

Mr. William Lowther.

2628. What time of the year do they fish for those gwiniads?—I could not answer off-hand; they net them in very deep fresh water in June and July, I think. Now we get into the fresh-water fish country again; there are not many in the Wye. The Severn is altered considerably by the weirs; in fact it is almost turned into a canal. The people at Worcester are very anxious about this Bill, and I think if I may be allowed to say so, that the Committee ought to get some evidence from Worcester. The Worcester anglers are an important set of people. Then we come to the valley of the Avon, a tributary of the Severn; the Avon has entirely fresh-water fish, and no salmon in it; it is too flat, but it is of great importance, because people come from the east coast of England to fish in it at Stratford-on-Avon and other parts. Then going round to the Bristol river, the Bristol Avon is very much altered by the weirs; you can see it as you go along the Great Western Railway, also affording very great sport on it, would afford very great sport to the people of Bristol, Trowbridge, Westbury, and all about there; certainly a great many miles would come under this Act. Then we come to Taunton, the River Tone, which is also

Mr. William Lowther—continued.

altered by weirs, and is certainly capable of a very great improvement by cultivation. Then I think we may draw a line right across down to Axminster, where you find good fishing rivers; again, the country becomes more elevated in Devonshire and Cornwall. There is no fresh-water fish at all, except in the slower waters of the Exe. There are a great many anglers in Exeter. There is Mr. Gosden there, who would be very glad to give evidence. Then going eastwards; there are a few anglers at Dorchester. Then we come on to the south coast of England, the Hampshire rivers, but there is not very much fresh-water fishing until we come to the Arun, the Arundel river. A great many people go to fish in the Arundel river; just underneath the Duke of Norfolk's castle there is some capital fishing. Then I should not omit the Salisbury river, which is very good indeed about Lord Nelson's place for pike, and it has certainly the largest roach in the world. Then we come to the Rivers Ouse, the Petworth Ouse, and the Lewes Ouse. As to the Lewes river, Mr. Walpole and I were down there the other day, and it is a most curious place. Some hundred years ago it was of importance as a canal; the canal locks are now entirely falling to pieces, but the fishing there is magnificent sport for rods. It is terribly netted. The Brighton people go to this Lewes river every Sunday whenever they can get a chance, and that was one opposition to your Bill, because they thought that you were going to stop Sunday fishing. Then we come on round to the Canterbury Stour, which is of all places the very best for angling. If you want a good day's roach fishing, go down to the Canterbury Stour; you get magnificent roach, and the river is ably preserved by the fishery club and conservators. Then we come on to another river, the Rochester river, which is the Medway, and the Maidstone river which I know quite well, and which is entirely ruined *quoad* salmon, but it is certainly a very excellent angling river, indeed, supplying fishing for many clubs in London and all the country round. Then we come to our own river, the Thames, preserved, as I told you the other day, from the mouth up for about 117 miles, by the angling societies, of which I am happy to say I am an honorary member of every one of them. It goes up as far as Oxford. I have been in communication with Mr. Alderman Randall of Oxford, and should like him very much to be asked to come and give evidence before the Committee relative to the preservation of a large tract of river in the neighbourhood of Oxford, of great importance to the Oxford students and elsewhere.

2629. Would Mr. Randall give any different evidence from the other fishermen?—No, he would not. Then we come to the county I have reported on, Norfolk; that of course you know all about. They are doing well there; the proprietors and other people whenever they get hauls of fish are delighted at the Act. The poachers are the only people who are aggrieved. There are really not above six or eight poachers in that district. Two men live by poaching; they send fish up from Norfolk, which come up by the express trains. The Great Eastern Railway in consequence of the Norfolk and Suffolk Bill will run excursion trains on purpose for anglers. Then we come to the great fishing ground for Leeds, Halifax, Bradford, Huddersfield, and all those places



Mr. *William Lowther*—continued.

places where the poor people who are engaged on manufactures can only get out for a little sport for a few hours in the day. Then we come to the upper waters of the Great Yorkshire system of rivers, namely, the Wharfe, the Ure, the Swale, and the Nidd, all forming the River Humber. That is a great fish farm which supplies on that side of England the anglers of what is called the Black Country. Going north again we come to Mr. Dodd's river, the Tees. The great Tees supplies fishing for Darlington, for Stockton, and for Middlesborough, a population of working men, who would go out fishing if they could catch these coarse fish. The Tees therefore is important. The Wear is a very good river, a "scurf" case of which exactly comes under Mr. Mundella's Bill. The Wear is ruined by pollution, and it contains no salmon, only scurf, that is bull-trout; it runs through the populous coal-mining districts of Sunderland, Durham, and Bishop Auckland, all poor people districts. It is too dirty from the coal and the lead washings to carry salmonidæ, but carries roach and dace and chub, the poor man's fish; and it is very important for those people. Then we come to the Tyne, which is a salmon river proper, with angling clubs at North Shields, South Shields, and Newcastle-upon-Tyne. Then we come to the Coquet and a few rivers there, but not much non-migratory fish, because they have salmonidæ. Berwick we have nothing to do with. Thus I have gone round England very hastily, and it about comes to this: that we may draw a large square on the map, which will include a great number of poor people connected with manufactures, and with collieries, and town inhabitants, altogether; those people have nowhere to go to catch those fish, and if this Act of Parliament came into force, I give it as my professional opinion that in three or four years you would find that there would be ample fish to keep all those poor people in good sport, and get them out into the fresh air and keep them out of the public-houses. A person who goes out fishing with a rod and line must pay attention to his work, it gets him into the fresh air; and, besides, there is a difference in my mind between going out to catch fish, and going out fishing, because many people go out fishing who really do not care one single bit whether they catch any fish or not. It is this idea that makes Isaac Walton's book so delightful, the ideas associated with the fields and the country. It is the great object of my life, as a practical student of natural history, to make everything useful, to make every acre of water bring out something, crayfish, minnows, gudgeons, or even sticklebacks. If you go and see the little urchins fishing for sticklebacks, they are enjoying themselves just as much as a man who catches a salmon. I hope when I have the honour of meeting again, to have a map coloured, to show the rivers which contain the various varieties of fish. But my point is to increase the sport and the food of the people, understanding by "people," the poor people, not the rich people.

2630. Is it possible, in your opinion, having heard all the evidence which has been given here, to increase this food and increase this sport without endangering the food and the sport of rich people?—The rich people will not be affected by it at all.

2631. You mean that the finer fish, the salmonidæ, will not be injured?—Just so; if you

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Mr. *William Lowther*—continued.

put salmon rivers to remain under their own conservators, you will meet the whole difficulty directly.

2632. But in the case of trout rivers where there are no boards of conservators, how would you deal with those?—I would make them have boards of conservators.

Sir *Andrew Lush*.

2633. One lesson which I learn from you from going over that map is, that it seems to me that in the rivers where salmon abound, there are scarcely any other fish?—Exactly so; when you get to a flat country you get roach, dace, and bream, and other white fish.

2634. You confirm my own experience in Scotland, as a boy which led me to know that as a rule in a salmon river there are never any of those white fish?—No, it is not suitable for them except when you get your salmon rivers altered by weirs.

2635. This Bill, even though we make it as stringent as we liked, would not come into collision with salmon rivers at all?—No; we will take the case of the Severn, where there are coarse fish, and which now has a board of conservators; if you call Mr. Willis Bund, the chairman of that board, he will tell you that the conservators provided they can carry out this Bill as they like, will not interfere one single bit with the salmon.

Mr. *Mundella*.

2636. But it will destroy predatory fish?—Yes; I want to show the Committee what lakes can produce in the way of bream; the bream have been nearly all netted out from many parts of England, but this fellow (*producing a specimen*) came from the Midland Counties, from a private lake in the centre of Staffordshire.

Mr. *William Lowther*.

2637. Can you eat bream?—No; but with fine tackle it is a splendid game fish. I have spoken to sundry owners of large fishery properties, principally his Grace the Duke of Marlborough, who has partly put the management of his lakes in Blenheim under me, and he says he would not like to be interfered with in his property in the Blenheim Lake; Lord Exeter has hatched out a number of American salmonidæ, and I have always advised him on the subject. He has had very great success with American fish, and he would like, probably, to have his own lakes entirely under his own management. As regards anglers doing mischief, I have spoken to my friend, Dr. Norman, who gave me an instance of Ormesby Broad, which has been preserved from nets only for two or three years, and anglers come all the year round, and fish all the year round, and still there are fish there; he considers that anglers would not make the slightest impression upon the fish.

Mr. *Mundella*.

2638. You say that netting has been prohibited all the year round there?—It is a private broad. Dr. Günther, of the British Museum, one of the greatest fish authorities we have, says that he will support the Bill if you allow no close season for angling. I asked him why, and he said that he had a little boy who came home at the holiday

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day times, and the little boy might be liable to have a fine of 2 l. for fishing and catching a roach in the canal; that is the point.

2639. But the little boy cannot fish for trout or char, or salmon, in a canal?—No; in fact I know that the number of eggs in a fish is so vast that you cannot possibly destroy them with a rod; for instance, a barbel full of eggs lays about from 7,000 to 8,000 eggs. As regards the biting of fish, the experience that I have obtained from other people is that when roach and dace and all herbivorous bottom feeding fish are spawning they will not bite, and, having bitten, are not good to eat if you take them; jack certainly will bite when they are in spawn, and so will perch;

Mr. *Mundella*—continued.

but, generally speaking the answer to my question is that they will not bite at that time.

Sir *Robert Buxton*.

2640. Did you hear the evidence of Mr. Geen the other day?—I did.

2641. Do you doubt his evidence?—I would rather not answer that question.

*Chairman.*

2642. Do you adhere to the opinion that it is not desirable to attempt to have a close season against angling?—I am more than ever of that opinion.

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# I N D E X

TO THE

## R E P O R T

FROM THE

SELECT COMMITTEE

ON

# FRESHWATER FISH PROTECTION BILL.

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*Ordered, by The House of Commons, to be Printed,  
2 July 1878.*

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*N.B.*—In this Index the *Figures* following the Names of the Witnesses, and those in the Analysis of Evidence of each Witness, refer to the Questions in the Evidence; the *Numerals* following *Rep.* refer to the Pages in the Report.]

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## CLOSE TIME (FRESH-WATER FISH):

1. Evidence as to the Importance of a Close Time, and as to the Facility of Enforcing it.
2. Suggestions as to the Precise Time to be observed as the Close Season.

1. Evidence as to the Importance of a Close Time, and as to the Facility of Enforcing it:

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*Crawford, The Rev. John Robert.* (Analysis of his Evidence.)—Great diminution in the supply and size of fresh-water fish in the Ely district in recent years, 453-455. 563, 564—Abuse in the capture of very young and small fish in large quantities, which are sold either for food or for use in certain trades, 455-465. 467.

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## F.

*Fane, Frederick.* (Analysis of his Evidence.)—Long and practical experience of witness with the Avon and other rivers in Hampshire and Dorsetshire, 2028-2030, 2033-2036—Exceedingly prolific character of the Avon in coarse fish, as well as in salmon, trout, &c., 2031, 2032—Representation by witness entirely of private waters, 2034—Joint Conservancy Board for the Avon and Stour, 2035, 2036.

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*Fell, John.* (Analysis of his Evidence.)—Extensive experience of witness as Chairman of the Kent Board of Conservators in the English Lake district, 1006-1009—Suggestions with a view to special legislation being passed for the lake district, whereby the local governing body might impose bye-laws, 1010-1014—Contemplated power in the governing body to exempt pike from a close season, on account of their destructive character, 1015-1018, 1050-1052, 1077-1087—Doubt as to perch being destructive of other fish, 1015, 1049, 1077.

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to be applied prohibiting for three years the use of nets with a smaller mesh than three inches, 1468-1470. 1526-1530—Power under the Act of bringing offenders before the petty sessions, 1471—Provision of the expenses, as for water-bailiffs, &c., by means of voluntary contributions, 1472. 1575-1579.

Approval of angling being prohibited during the close time, provided boards of conservators are empowered to make exemption, 1479-1486. 1493. 1509-1522—Suggestion that the close time might be fixed for each district by the quarter sessions; difficulty as to a uniform close time, 1486-1488. 1540-1545—Necessity of a prohibition of sale during close time, 1487-1491. 1544. 1583-1594—Restrictions desirable generally, as well as in Norfolk, on the score of netting; suggestions hereon as regards night netting and the use of fixed nets, 1492. 1500-1504. 1526-1538—Private rights claimed in the fisheries in the Broads, 1494-1499.

Satisfaction expressed with the Norfolk Act and the power of regulating the fisheries by local bye-laws; approval of similar Acts for other localities, 1505-1508—Expediency of Norfolk and Suffolk being exempted from the present Bill as regards close time, &c., 1509-1523. 1540-1551. 1583-1591—Examination to the effect that a close time for angling is not required in Norfolk and Suffolk, and would be very unpopular, 1509-1516. 1522-1582, 1595-1597.

Suggested amendment of Section 3 of the Bill, as to the extent of operation of the measure, 1522, 1523—Entire insufficiency in Norfolk of the penalty of 40 s. under the Bill, 1523-1525—Approval of a close time from 15th March to 15th June being fixed by the Bill for freshwater fish, provided Norfolk and Suffolk be exempt, 1540-1551. 1583-1591.

*Fishery Districts.* See *Conservancy Boards.* *Trout and Char.*

*Food:*

Great importance of the Bill as a means of securing an increased supply of food; statement hereon as to the large waste of spawn and young fish at the present time, *Walpole* 92. 94-101. 165-170. 200—Beneficial rather than prejudicial effect of a close time as regards the food supply, *ib.* 301, 302. 305, 306. 312.

Unfit character of the food when fish are taken in spawning time, *Buckland* 322, 323; *Sachs* 811-813—Demand mainly on the part of the Jews for freshwater fish, *Buckland* 327, 328. 2623—Immense supply for the public if the fish were not taken when very young and small, *ib.* 329, 330—Nourishing character of the food supplied by freshwater fish, *ib.* 368.

Expediency on the score of food, as well as of sport, of applying a close season to freshwater or coarse fish, as well as to trout and char and to salmon, *Sachs* 795-836—Increased quantity and better quality of fish sold for food if a close time were strictly enforced, *Savage* 1261-1266—Unwholesome character of fish taken in spawning time; large quantities of such fish sold in Sheffield, *Guest* 1656, 1657. 1666-1668.

Denial that fish are unwholesome throughout the spawning season, *Greene* 1766-1768.

Unwholesomeness of fish taken in the spawning season, *Jackson* 1807-1810—Decided unwholesomeness of bream and other fish, when taken in the spawning season; statement hereon as to fish being then largely eaten by Jews, *Geen* 1878. 1889. 1900, 1901. 1905-1907. 1913-1921.

Waste and diminution of the supply of fish owing to the practice of netting and angling in the spawning season, *Ghurney* 1953, 1954. 1965-1976. 2013-2016. 2023-2027—Valuable increase in the food supply as well as in the facilities for sport by a better regulation of the rivers, *ib.* 1973-1976. 2013-2016.

Statement as to the exceedingly small demand of the public for pike, tench, and other coarse fish, as an article of food, *Fane* 2051-2056. 2063. 2081. 2091. 2100-2103. 2105-2107. 2138—Question considered whether "coarse" fish are not appreciated by the public in some localities, and whether a large sum is not realised by their sale, *ib.* 2167-2175. 2178. 2186.

Unfitness for food of fish taken when spawning, *Foster* 2399-2401—Value of coarse fish as food except in the spawning season, *ib.* 2411-2415—Conclusion further expressed as to the great waste in taking large quantities of fish in the spawning season, *ib.* 2475-2477. 2493-2503.

Wholesomeness of seawater fish with spawn, whilst freshwater fish in spawning time are very unwholesome, *Buckland* 2624.

Expediency of legislation for the better preservation of fish in the spawning season with reference to the food supply, *Rep.* iii.

See also *Close Time.* *Freshwater Fish.*

*Foreign Countries.* Attention being paid by foreign countries to the question of the proposed legislation, *Buckland* 368.

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*Foster, John.* (Analysis of his Evidence.)—Duties of witness as river-keeper on the Trent at Caythorpe, 2387-2390—General feeling of fishermen and anglers in the Nottingham district in favour of a close time for coarse fish, not only as regards nets but rods; great benefits anticipated therefrom, 2391 *et seq.*—Considerable mischief done by angling in the spawning season, 2396-2398. 2441-2449. 2466—Unfitness for food of fish taken when spawning, 2399-2401—Readiness of anglers as a body to support the enforcement of a close time, 2402-2410. 2430-2440. 2450, 2451. 2478-2492. 2503-2507—Value of coarse fish as food except in the spawning season, 2411-2415.

Special importance attached to a close time in the Trent for nets; extended period suggested, 2416-2429. 2452, 2453. 2475-2477—Great diminution of fish in the Trent within witness' experience, this being largely owing to the increased pollution of the river; improvement being effected on this score in some localities, 2454-2477. 2493-2499. 2508-2519—Conclusion further expressed as to the great evil of taking large quantities of fish in the spawning season, 2475-2477. 2493-2503.

*France.* Adoption of a legal close time in France, *Buckland* 378, 379—Prohibition in France upon the use of nets with a mesh above a certain size, *Crawford* 486. 533. 541. 586-589.

*Freshwater Fish.* Very limited extent to which there is now any preservation, by law, of coarse fish, *Walpole* 4-6—Suggestion that in lieu of the term "coarse fish," the term "freshwater fish" be used in the Bill, and be defined as including all kinds of fish other than trout and char, and migratory fish, *ib.* 50-52. 154-156.

Suggestion that there be a fixed close time from 1st March to 31st May, or rather from 15th March to 15th June, *Walpole* 54-56. 114. 115. 121-127—Greatly diminished supply of fish in some districts, whilst in others there has been an increase, owing to protective measures, *ib.* 307-309.

Great importance attached to a close time for freshwater or coarse fish, as proposed by the Bill before the Committee, *Buckland* 313-317—Exception taken to the term "coarse fish;" preference for the term "white fish," *ib.* 315, 316—Conclusion as to protective measures for freshwater fish being a matter of pressing national importance, *ib.* 317. 319. 368.

Gradual change coming over English rivers, so that freshwater fish are in process of dying out, *Buckland* 317-319\*—Great diminution of freshwater fish generally; instance to this effect, *ib.* 324-326.

Concurrence in approval of a uniform close time from 15th March to 15th June, *Buckland* 348-353. 374; *Brougham* 910-912; *Savage* 1181-1184. 1224. 1225. 1278-1283; *Guest* 1609, 1610.

Conclusion as to the expediency of legislation for the better preservation of non-migratory fish during the spawning season, *Rep.* iii—Considerable diminution in the size and quantity of non-migratory fish, *ib.*

<i>See also Anglers.</i>	<i>Close Time.</i>	<i>Ely District.</i>	<i>Food.</i>	<i>Lake District.</i>
<i>Nets.</i>	<i>Norfolk and Suffolk.</i>	<i>Nottingham.</i>	<i>Ouse River.</i>	<i>Pike and</i>
<i>Perch.</i>	<i>Private Waters.</i>	<i>Thames.</i>		

## G.

*Geen, Philip.* (Analysis of his Evidence.)—Representation by witness of the Amalgamated Association of the London Angling Societies, comprising about 3,000 anglers, 1869-1871. 1890—Advocacy of a close time under Act of Parliament, from 15th March to 15th June for rivers generally, as well as for those near London, not only for nets, but for rods, 1872 *et seq.* 1922-1928—Great facility in carrying out a close season; readiness evinced by anglers in the Thames district to comply with a close time, 1874. 1880, 1881. 1889-1894. 1898, 1899. 1902-1904. 1908-1912. 1922.

Instances of the readiness of fish to take the bait in the spawning season, 1877. 1884-1888—Decided unwholesomeness of bream and other fish, when taken in the spawning season; statement hereon as to fish being then largely eaten by Jews, 1878. 1889. 1900, 1901. 1905-1907. 1913-1921—Want of a prohibition of sale during the close season, 1895, 1896—Expediency of a restriction as to the size of fish taken, 1896, 1897.

*Ghurney, Richard.* (Analysis of his Evidence.)—Representation by witness of the River Lea Preservation Association, 1930-1934—Powers derived by the Association from the River Lea Conservancy, and exercised over the river, as regards close time, &c.; facility, by means of voluntary bailiffs, in carrying out the required regulations, 1935-1940. 1949. 1959-1963. 1994-2007—Advocacy of a close time from 15th March to 15th June for freshwater fish for the country generally, not only as regards nets but rods, 1941 *et seq.*

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*Ghurney, Richard.* (Analysis of his Evidence)—continued.

Waste and diminution of the supply of fish owing to the practice of netting and angling in the spawning season, 1953, 1954. 1965-1976. 2013-2016. 2023-2027—Valuable increase in the food supply, as well as in the facilities for sport, by a better regulation of the rivers, 1973-1976. 2013-2016—Large numbers of the lower classes who derive recreation from fishing in the Lea, or in ponds in the vicinity; these would not be interfered with by the present Bill, 1977-1993. 2017-2022.

*Gold Fish.* Contemplated exemption as regards sale of live gold fish during a close season *Walpole* 150, 151.

*Grayling.* Reference to grayling as not comprised in the term "coarse fish;" suggestion as to the close season for grayling, *Walpole* 154, 155. 181-183. 260-264—Statement as to grayling spawning in April and May, *Buckland* 354.

*Greene, Charles Jeremiah.* (Analysis of his Evidence.)—Is Secretary of the Yare Preservation Society at Norwich; concurs generally in the evidence of Mr. Field, 1744-1749—Submits on the part of the anglers of Norwich, and of Norfolk generally, that a close time for rod and line in Norfolk and Suffolk is not required, and would be very objectionable, 1750, 1751. 1757-1759. 1766-1768.

Full approval of the Norfolk Act of last Session, and of the bye-laws under the Act, 1752-1756—Voluntary subscriptions for defraying the cost of proceedings under the Yare and Wensum Preservation Act, 1762, 1763—Objection to restriction by Act as to the size of fish taken, 1764, 1765.

*Guest, Thomas.* (Analysis of his Evidence.)—Representation by witness of the fishing clubs of Sheffield, 1598-1602—Total of about 211 clubs, and more than 8,000 members, all working men, 1603-1605. 1628-1631—General approval given by the fishing clubs to the present Bill, including a close time for angling as well as for netting; readiness of the artisan class of anglers to give a hearty support to the proposed restriction, 1605 *et seq.*

Approval of the close time being from 15th March to 15th June, 1609, 1610—Belief that not only the numbers of fishing clubs but the thousands of other anglers in Sheffield would support a close time for angling and netting, 1614-1616. 1628-1641—Importance attached to a prohibition of sale during close time, 1621. 1656-1659. 1736-1738—Restriction suggested as to the size of the mesh of nets, 1622, 1623—Restriction desirable also as to the size of fish allowed to be taken, 1623, 1624.

Expediency of regulations as to nets and other details being left to local bodies, instead of being embodied in the Bill, 1625-1627—Unwholesome character of fish taken in spawning time; large quantities of such fish sold in Sheffield, 1656, 1657. 1660-1698—Much greater mischief done by nets than by rods in spawning time, 1658-1662. 1679, 1680. 1688-1696—Great pleasure taken in fishing by the working classes of Sheffield; long distance which they travel for the purpose, 1669-1677. 1720-1724—Very temperate character of the anglers, 1669-1678. 1697-1700.

Willingness of the Sheffield anglers generally to forego fishing during a close time, though it would include Whitsuntide, and, probably, other holidays, and would involve personal inconvenience, 1681-1719. 1725, 1726. 1734-1743—Much greater importance of preventing the use of nets than of rods in the spawning season, 1688-1696. 1716-1719. 1728-1738—Great diminution in the supply of fish in the rivers and canals near Sheffield owing to the increase of netting and angling, 1728-1733.

*Günther, Dr. (British Museum).* Approval of the Bill by Dr. Günther, provided a close season be not applied to anglers, *Buckland* 2638.

## H.

*Hampshire and Dorsetshire.* Explanation that witness speaks especially on behalf of proprietary rivers in Hampshire and adjacent counties, in which there are no public rights, the main object of the proprietors being to secure the protection of salmon and trout by means of facilities for destroying pike and other coarse fish, *Fane* 2034. 2059-2063. 2067-2078.

Further statements as to the proprietary rights in the fish in the Hampshire and Dorsetshire rivers, and as to the inexpediency of legislative interference in the shape of a close season for pike, &c., *Fane* 2156-2159. 2191-2198. 2225, 2226. 2229-2235.

See also *Avon and Stour Rivers.* *Itchen and Test Rivers.*

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## I.

*Illegal Engines (Nets, &c.)* Suggestions on the subject of penalties for the possession of engines or instruments for taking fish illegally, *Walpole* 287-289—Importance of a proposed clause for the punishment of persons in possession of engines for the illegal capture of fish, *Sandys* 2246-2248.

Recommendation by the Committee for a power of search being given upon the order of a justice, on sworn information, *Rep.* iv.

*Inspectors of Fisheries.* Approval generally of the present Bill; concurrence with Mr. Walpole on the subject, *Buckland* 372-377.

*Itchen and Test Rivers.* Inexpediency of the Bill restricting owners of fisheries in the rivers Itchen and Test (where there are no Conservancy Boards), from destroying pike or other predacious fish, *Fane* 2049, 2050. 2215-2224.

## J.

*Jack.* See *Pike and Perch.*

*Jackson, Henry.* (Analysis of his Evidence.)—Representation by witness of the fishing clubs of Birmingham, about ten in number, comprising some 300 anglers; total of about 3,000 anglers in the town, 1769-1777—Explanation that the fish near Birmingham is all in subscription waters, and that a close time is not enforced save by one society, 1778-1789. 1794-1796. 1834-1838—Advocacy of a close time for freshwater fish, under Act of Parliament, both as regards nets and rods; great benefit anticipated, though there would be some individual inconvenience, 1790 *et seq.*

Very general feeling of anglers at Birmingham in favour of a close time, 1793-1806. 1811-1833—Unwholesomeness of fish taken in the spawning season, 1807-1810—Special importance of prohibiting netting when fish are spawning, 1816-1824. 1855, 1856.

*Jews.* Demand on the part chiefly of Jews for freshwater fish as food, *Buckland* 327, 328. 2623.

## L.

## LAKE DISTRICT:

Recommendations made by Mr. Buckland and witness for the protection of trout and char in the English Lake district; local inquiry on which founded, *Walpole* 31-36. 175, 176—Suggested extension of the provisions of the Salmon Fisheries Acts to the entire Lake district, *ib.* 35—Restriction proposed as to the size of the mesh of the net, *ib.* 35.

Proposed extension of the close time for trout and char in the Lake district till the 28th February, on application being made to that effect from the local conservators to the Home Secretary, *Walpole* 37, 38—Conflicting character of the rights in the case of private waters in the district, *ib.* 40.

Special inquiry made in the Lake district, so that it has been recommended to prohibit the use of nets above a certain size, *Walpole* 140-142—Approval of a certain provision as to the size of the mesh of the net to be used in the district, *ib.* 281-283.

Suggestions with a view to special legislation being passed for the Lake district, whereby the local governing body might impose bye-laws, *Fell* 1010-1014—Great advantage if fishing boards were formed in the district, *ib.* 1030-1036—Satisfactory operation of a Salmon Fishing Board in portion of the district, *ib.* 1036-1041.

Suggestions as to the license fees to be imposed in the Lake district upon nets used in taking trout and char; limit proposed as to the size of the mesh of the net, *Fell* 1042, 1043. 1053, 1054. 1088, 1089—Advantage of a system of general licenses in the district, as regards trout and char, *ib.* 1043-1048—Approval of a close time being applied to private tarns in the district, such as Hawes Water, *ib.* 1061-1071.

Representation by witness of the views generally of the people interested in fishing in the Windermere and Coniston district, *Fell* 1074-1076—Explanation that witness does not advocate separate legislation for the Lake district, save that there should be a power of dealing exceptionally with pike, *ib.* 1077-1087—Wholesale distinction of young char taken in nets, *ib.* 1088, 1089. 1121-1126.

Satisfaction expressed with certain recommendations by the fishing inspectors as to close time, &c., *Fell* 1092-1102—Feeling in the Lake district in favour of the close time not terminating till the 28th February, *ib.* 1094—Advantage of the Bill in so far as the protection under it would apply to the whole district, *ib.* 1095-1097.

Great value of the close time in the case of char in the Lake district, though there has been great abuse on the score of nets, *Fell* 1121-1126—Approval of the Bill, as regards

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regards the Lake district, if there were a prohibition upon the mesh of the net being more than one and a quarter inch wide, *Fell* 1159-1161.—Objection by many fishermen in the district to a close season for pike and perch, *ib.* 2063.

Approval of the present Bill, some amendments being desirable with reference to the requirements of the Lake district, *Sandys* 2238-2255. 2273 *et seq.*—Satisfaction in the district if placed under the Salmon Fishery Acts, and if certain amendments are introduced into the present Bill, *ib.* 2256. 2265. 2273-2281.

Intention at first of the Lake District Association to apply for a local Act, though now willing to come under the present Bill with some amendments, *Sandys* 2304-2307.—Practice of sending to Manchester for sale the pike and other white fish caught in Windermere and Esthwaite, *ib.* 2324-2329.

Advocacy of a strict close season for trout and char in the Lake district, both as regards nets and rods, with power to exempt pike and perch from protection, *Machell* 2520 *et seq.*—Considerable amount of night poaching in witness' district; belief as to the fish being sent to Manchester and Liverpool for sale, *ib.* 2543-2548. 2571-2590.

See also *Angletarn. Windermere.*

**Lea River.** System of fence months on the Lea, *Sachs* 768, 769. 790.

Powers derived by the River Lea Preservation Association from the River Lea Conservancy, and exercised over the river, as regards close time, &c.; facility, by means of voluntary bailiffs, in carrying out the required regulations, *Ghurney* 1935-1940. 1949. 1959-1963. 1994-2007.—Large numbers of the lower classes who derive recreation from fishing in the Lea, or in ponds in the vicinity; these would not be interfered with by the present Bill, *ib.* 1977-1993. 2017-2022.

**Legislation.** Expediency of the proposed legislation (as being experimental) being confined to as few and simple provisions as possible, *Walpole* 41. 136-139.—Operation of the Thames Conservators adverted to in support of the present Bill, *ib.* 227, 228. 249-253. 256.

Comments upon certain objections to the proposed legislation, irrespectively of the question of a close time, *Buckland* 380-389. 401-404.—Decided insufficiency of the Bill if it stop short at the enactment of a close time, *Crawford* 574-576. 600-603.—Suggested amendment of Section 3, as to the extent of operation of the Bill, *Field* 1522, 1523.

**Licenses.** Contemplated powers in Board of Conservators to issue licenses to persons fishing for trout and char, but not to persons fishing for coarse fish, *Walpole* 42-46.—Explanation as to owners of private waters being empowered to permit fishing with rod and line during the close season, *ib.* 187, 188. 204-216.

Further statement as to its being proposed that fish may still be taken during close time on permission from owners or boards of conservators, *Walpole* 303-306.

## M.

**Machell, Thomas.** (Analysis of his Evidence.)—Advocacy of a strict close season for trout and char in the lake district, both as regards nets and rods, with power to exempt pike and perch from protection, 2520 *et seq.*—Approval of the present Bill in so far as it provides a close season for perch and pike in rivers where there are no trout or char, 2526-2534. 2552 *et seq.*

Practice of witness as to destroying perch spawn in Angletarn, for the protection of trout, 2538-2541. 2560-2566. 2607, 2608.—Considerable amount of night poaching in witness' district; belief as to the fish being sent to Manchester and Liverpool for sale, 2543-2548. 2571-2590.—Approval of the confiscation of nets of illegal size, there being a right of search, 2549. 2551.

**Middle Classes.** Public policy in complying with the demand of the middle classes for protection of fresh-water fish, *Buckland* 368.—See also *Anglers.*

**Midland Counties.** Very little good fishing ground now available in the Midland districts of England, *Buckland* 396-398.

**Minnows.** Mistake under the Bill in minnows not being allowed to be taken for bait, *Fell* 1059, 1060.

## N.

**NETS:**

Difficulty in applying to the whole country a provision limiting the size of the mesh of the net, *Walpole* 39.—Explanation that nets are prohibited during the close season under the Bill, *ib.* 136-139.—Expediency of not merely prohibiting sale, but netting during

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during the close time, *Walpole* 217-237. 292—Sufficient check upon over-multiplication of fish by netting being feasible for nine months in the year, many rivers being moreover over-fished, *ib.* 221-224.

Importance of a prohibition of netting as well as of sale; reasons, however, for a power in owners of private lakes or ponds to use nets when they please, *Buckland* 337-347. 370—Inexpediency of any restriction of the size of the mesh of nets, it being better to prohibit all netting during the close time, *ib.* 393-396—Suggestion that the limit be fixed at one and a-half inches, or at two inches at the outside, *ib.* 491. 602, 603.

Approval of forfeiture of nets if used above a certain size, *Crawford* 533, 534. 541—Practical difficulty in the way of an uniform scale of mesh, *Brougham* 895-897. 913-915—Expediency of nets being abolished during the close season, *Savage* 1192.

Necessity of a three-inch mesh in Norfolk on account of bream, *Field* 1469. 1526-1530—Restrictions desirable generally as well as in Norfolk, on the score of netting; suggestions hereon as regards night netting and the use of fixed nets, *ib.* 1492. 1500-1504. 1526-1538.

Restriction suggested as to the size of the mesh of nets, *Guest* 1622, 1623; *Sandys* 2308, 2309—Much greater mischief done by nets than by rods in spawning time, *Guest* 1658-1662. 1679, 1680. 1688-1696—Much greater importance of preventing the use of nets than of rods in the spawning season, *ib.* 1688-1696. 1716-1719. 1728-1738.

Special importance of prohibiting netting when fish are spawning, *Jackson* 1816-1824. 1855, 1856—Approval of the confiscation of nets of illegal size, there being a right of search, *Muchell* 2549. 2551.

The Committee do not recommend any detailed regulations as to the size of the mesh of nets, &c.; *Rep.* iv.

Recommendation that in cases of conviction power should be given to the justices to declare the fish and instruments used in their capture forfeited, and dealt with as the justices may order, *Rep.* iv.

<i>See also Anglers.</i>	<i>Close Time.</i>	<i>Food.</i>	<i>France.</i>	<i>Illegal Engines.</i>	<i>Lake</i>
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*Night Fishing.* Approval of a prohibition against night fishing; provision in the French law against the use of nets at night, *Crawford* 667-670—Restrictions desirable as regards night netting, *Field* 1500-1504. 1531-1538.

*Night Lines.* Objection to night lines being dealt with by the proposed legislation, *Walpole* 40, 41—Reasons for objecting to restrictions in the Bill as to the setting of night lines, &c., *ib.* 284-286.

*Norfolk and Suffolk.* Circumstance of the conservators in Norfolk and Suffolk having instituted a four months' close time for pike, without power in any local authority to vary it, *Walpole* 70-74—Less necessity of a close season under Act of Parliament in Norfolk and Suffolk than in densely populated districts, *ib.* 186. 189-197—Adequate funds raised for working the Norfolk and Suffolk Act, *ib.* 294.

Very large supplies of fish sent to market from the Norfolk and Suffolk broads; great abuse in the netting being carried on through the spawning season, *Buckland* 318. 321-323.

The chief rivers under the conservators for Norfolk and Suffolk are the Yare, the Wensum, and the Bure, the broads (which are a chain of inland lakes) being in communication with these rivers and with the sea, *Field* 1446, 1447—Great diminution in the supply of fish in the rivers and the Broad through excessive netting, so that it was found necessary to obtain an Act last Session for the regulation of the fisheries, *ib.* 1448-1453.

Powers of the conservators as to making bye-laws under the Norfolk Act for imposing a close time, &c.; adoption of a close time for certain freshwater fish from 1st March to 30th June, *Field* 1456-1462—Statement as to a close time not being necessary in Norfolk for angling; difficulty moreover in preventing angling on holidays, *ib.* 1463-1467. 1473-1478—Bye-law about to be applied prohibiting for three years the use of nets with a smaller mesh than three inches, *ib.* 1468-1470. 1526-1530.

Power under the Act of bringing offenders before the petty sessions, *Field* 1471—Provision of the expenses, as for water-bailiffs, &c., by means of voluntary contributions, *ib.* 1472. 1575-1579—Private rights claimed in the fisheries in the Broad, *ib.* 1494-1499.

Satisfaction expressed with the Norfolk Act, and the power of regulating the fisheries by local bye-laws; approval of similar Acts for other localities, *Field* 1505-1508—

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Expediency of Norfolk and Suffolk being exempted from the present Bill, as regards close time, &c., *Field* 1509-1523. 1540-1551. 1583-1591.

Examination to the effect that a close time for angling is not required in Norfolk and Suffolk, and would be very unpopular, *Field* 1509-1516. 1522-1582. 1595-1597—Prohibition of drag-hooks and night-lines, though angling is permitted, *ib.* 1565-1597.

Witness submits, on the part of the anglers of Norwich and of Norfolk generally, that a close time for rod and line in Norfolk and Suffolk is not required, and would be very objectionable, *Greene* 1750, 1751. 1757-1759. 1766-1768—Full approval of the Norfolk Act of last Session, and of the bye-laws under the Act, *ib.* 1752-1756—Voluntary subscriptions for defraying the cost of proceedings under the Yare and Wensum Preservation Act, *ib.* 1762, 1763.

Proposed exemption of Norfolk and Suffolk from the provisions of the proposed Act, *Rep.* iv.

*Nottingham.* Representation by witness of the feeling of local fishermen generally in approval of the Bill before the Committee, *Savage* 1166-1172. 1198-1204. 1221-1225—There are fifty-two fishing clubs, and they are all in favour of a close time, *ib.* 1169-1173—Readiness of anglers generally in the Nottingham district to assist in carrying out a close time, as under the Bill, *ib.* 1198-1204. 1237-1242. 1293-1299. 1339-1341—Considerable sale of coarse fish at Nottingham, taken during the breeding season, *ib.* 1205. 1258-1262.

Large number of persons at Nottingham who belong to clubs or who fish in private waters; charge made for season tickets, *Savage* 1229-1233. 1284-1288. 1364-1370—Great appreciation of the River Trent and the fishing therein by the large labouring population of Nottingham, *ib.* 1371-1385.

General feeling of fishermen and anglers in the Nottingham district in favour of a close time for coarse fish, not only as regards nets, but rods; great benefits anticipated therefrom, *Foster* 2391 *et seq.*, 2396-2398. 2441-2449. 2466.

See also *Trent District*.

## O.

*Ouse, River.* Decided approval of a close time, both for netting and angling, for rivers like the Ouse, *Crawford* 466-476. 498-502—Great value of jack in the Ouse, *ib.* 468. 518.

Grounds for the opinion that the Bill will be of little use in the Ouse district unless there be a restriction of the size of the meshes of nets; difficulty, however, lest such restriction might cause a loss of the Bill, *Crawford* 477-485. 489-491. 529-532. 600-603.

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*Scientific Purposes.* Provisions in the Salmon Acts allowing fish to be taken during close time for scientific purposes or for artificial propagation, *Walpole* 76—Necessity of sale being permitted during a close season, for scientific purposes, *Buckland* 357-361; *Bartlett* 2347-2361.

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TO THE

REPORT

FROM THE

SELECT COMMITTEE

ON

FRESHWATER FISH PROTECTION  
BILL.

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*Ordered, by The House of Commons, to be Printed,  
2 July 1878.*

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261.

*Under 3 oz.*

# R E P O R T

FROM THE

SELECT COMMITTEE

ON

GOLD AND SILVER (HALL MARKING);

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND APPENDIX.

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*Ordered, by The House of Commons, to be Printed,  
31 July 1878.*

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*Ordered*,—[ *Monday, 15th April 1878* ]:—THAT a Select Committee be appointed to inquire into the operation of the Acts relating to the Hall Marking of Gold and Silver Manufactures.

*Ordered*,—[ *Monday, 20th May 1878* ]:—THAT the Watch Cases Hall Marking Bill be read a second time, and committed to the Committee.

*Ordered*,—[ *Monday, 27th May 1878* ]:—THAT the Committee do consist of Seventeen Members.

Committee nominated of—

Mr. Bates.  
Colonel Blackburne.  
Mr. Campbell-Bannerman.  
Mr. Courtney.  
Mr. Orr Ewing.  
Mr. Freshfield.  
Mr. Goschen.  
Mr. Hamond.  
Mr. Thomson Hankey.  
Mr. Muntz.  
Sir Patrick O'Brien.

Mr. Onslow.  
Sir Charles Russell.  
Mr. Talbot.  
Mr. Torr.  
Mr. Whitwell.  
Sir Henry Jackson.  
Sir Andrew Lusk (added 29th May).  
Mr. Puleston (added 19th June).  
Sir Joseph M'Kenna (added 24th June).

*Ordered*,—THAT the Committee have power to send for Persons, Papers, and Records.  
THAT Five be the Quorum of the Committee.

*Ordered*,—[ *Wednesday, 29th May 1878* ]:—THAT the Committee do consist of Eighteen Members.

Sir Andrew Lusk added.

*Ordered*,—[ *Wednesday, 19th June 1878* ]:—THAT the Committee do consist of Nineteen Members.

Mr. Puleston added.

*Ordered*,—[ *Monday, 24th June 1878* ]:—THAT the Committee do consist of Twenty Members.

Sir Joseph M'Kenna added.

*Ordered*,—[ *Monday, 22nd July 1878* ]:—THAT the Petition of Henry Asher Robbins and Daniel Fuller Appleton, against the Watch Cases (Hall Marking) Bill, be referred to the Committee.

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## R E P O R T.

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THE SELECT COMMITTEE appointed to inquire into the operation of the ACTS relating to the HALL MARKING of GOLD and SILVER MANUFACTURES;—HAVE agreed to the following REPORT :—

YOUR Committee have examined numerous witnesses upon the matters referred to them, but having regard to the period of the Session at which they have arrived, they have agreed to Report the Evidence already taken, and to recommend that the Committee should be re-appointed in the next Session. They have further agreed to report the Watch Cases (Hall-Marking) Bill without amendment.

31 *July* 1878.

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## PROCEEDINGS OF THE COMMITTEE.

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*Monday, 3rd June 1878.*

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### MEMBERS PRESENT :

Mr. Bates. Colonel Blackburne. Mr. Campbell-Bannerman. Mr. Orr Ewing. Mr. Freshfield. Mr. Hamond.		Mr. Thomson Hankey. Mr. Muntz. Sir Patrick O'Brien. Sir Charles Russell. Sir Henry Jackson.
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Sir HENRY JACKSON was called to the Chair.

The Committee deliberated.

[Adjourned till Monday, 17th June, at Twelve o'clock.]

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*Monday, 17th June 1878.*

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### MEMBERS PRESENT :

Sir HENRY JACKSON in the Chair.

Mr. Bates. Colonel Blackburne. Sir Patrick O'Brien. Mr. Freshfield. Mr. Onslow. Mr. Orr Ewing. Mr. Thomson Hankey. Mr. Courtney.		Sir Charles Russell. Mr. Talbot. Mr. Hamond. Mr. Muntz. Mr. Whitwell. Mr. Torr. Mr. Campbell-Bannerman.
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Mr. *Edward J. Watherston* was examined.

[Adjourned till Monday next, at Twelve o'clock.]

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*Monday, 24th June 1878.*

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### MEMBERS PRESENT :

Sir HENRY JACKSON in the Chair.

Mr. Goschen. Mr. Onslow. Mr. Bates. Mr. Campbell-Bannerman. Mr. Thomson Hankey. Mr. Freshfield. Sir Patrick O'Brien. Colonel Blackburne.		Mr. Puleston. Mr. Courtney. Sir Charles Russell. Mr. Talbot. Mr. Hamond. Mr. Torr. Mr. Orr Ewing.
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Mr. *Frederick B. Garnett*, Mr. *Walter Prideaux*, and Mr. *James M. Garrard*, were severally examined.

[Adjourned till Monday next, at Twelve o'clock.]

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*Monday, 1st July 1878.*

## MEMBERS PRESENT:

Sir HENRY JACKSON in the Chair.

Mr. Bates.  
Mr. Freshfield.  
Colonel Blackburne.  
Mr. Muntz.  
Mr. Whitwell.  
Mr. Talbot.  
Sir Charles Russell.  
Mr. Courtney.

Mr. Torr.  
Mr. Campbell-Bannerman.  
Sir Patrick O'Brien.  
Mr. Thomson Hankey.  
Mr. Goschen.  
Sir Joseph M'Kenna.  
Mr. Puleston.

Mr. *James M' Garrard* was further examined.

Mr. *Francis B. Thomas* was examined.

[Adjourned till Monday next, at Twelve o'clock.]

*Monday, 8th July 1878.*

## MEMBERS PRESENT :

Sir HENRY JACKSON in the Chair.

Mr. Whitwell.  
Mr. Onslow.  
Mr. Bates.  
Mr. Thomson Hankey.  
Mr. Freshfield.  
Colonel Blackburne.  
Sir Joseph M'Kenna.

Sir Charles Russell.  
Mr. Talbot.  
Mr. Puleston.  
Sir Patrick O'Brien.  
Mr. Torr.  
Mr. Campbell-Bannerman.  
Mr. Goschen.

Mr. *Walter Prideaux* was further examined.

Mr. *Alfred Bedford* was examined.

[Adjourned till Monday next, at Twelve o'clock.]

*Monday, 15th July 1878.*

## MEMBERS PRESENT:

Sir HENRY JACKSON in the Chair.

Mr. Freshfield.  
Mr. Bates.  
Mr. Talbot.  
Colonel Blackburne.  
Mr. Hankey.  
Sir Charles Russell.

Mr. Onslow.  
Mr. Whitwell.  
Mr. Puleston.  
Mr. Hamond.  
Sir Patrick O'Brien.  
Mr. Torr.

Mr. *Walter Prideaux* was further examined.

Mr. *Joseph Pyke*, Mr. *George Glasgow*, Mr. *William Barnard*, and Mr. *James Gent*,  
were severally examined

[Adjourned till Monday next, at One o'clock.]



*Monday, 22nd July 1878.*

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## MEMBERS PRESENT :

Sir HENRY JACKSON in the Chair.

Mr. Freshfield.  
Mr. Thomson Hankey.  
Mr. Muntz.  
Mr. Torr.  
Mr. Bates.  
Mr. Whitwell.  
Mr. Talbot.  
Mr. Puleston.

Colonel Blackburne.  
Sir Patrick O'Brien.  
Sir Joseph M'Kenna.  
Mr. Campbell-Bannerman.  
Mr. Goschen.  
Sir Charles Russell.  
Mr. Courtney.

Mr. Edward J. Poynter, B.A., Mr. James Walker, Mr. Arthur B. G. Rogers, and Mr. Herbert Read were severally examined.

[Adjourned till Monday next, at One o'clock.]

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*Monday, 29th July 1878.*

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## MEMBERS PRESENT :

Sir HENRY JACKSON in the Chair.

Mr. Talbot.  
Sir Joseph M'Kenna.  
Mr. Courtney.  
Mr. Orr Ewing.  
Sir Patrick O'Brien.  
Mr. Freshfield.

Mr. Thomson Hankey.  
Mr. Muntz.  
Mr. Torr.  
Mr. Onslow.  
Mr. Whitwell.  
Colonel Blackburne.

Mr. Herbert Read was further examined.

Mr. Lewis Joel and Mr. Thomas Farrer were severally examined.

[Adjourned till Wednesday next, at Two o'clock.]

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*Wednesday, 31st July 1878.*

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## MEMBERS PRESENT :

Sir HENRY JACKSON in the Chair.

Mr. Courtney.  
Mr. Orr-Ewing.  
Sir Joseph M'Kenna.  
Mr. Freshfield.  
Sir Andrew Lusk.

Mr. Muntz.  
Mr. Campbell-Bannerman.  
Mr. Whitwell.  
Mr. Thomson Hankey.

Mr. Thomas H. Farrer was further examined.

DRAFT REPORT proposed by the Chairman, read a first and second time, and agreed to.

Ordered, To report the Watch Cases (Hall Marking) Bill, without Amendment.

Ordered, To Report, together with the Minutes of Evidence and an Appendix.

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EXPENSES OF WITNESSES.

NAME OF WITNESS.	Profession or Condition.	From whence Summoned.	Number of Days Absent from Home, under Orders of Committee.	Allowance during Absence from Home.	Expenses of Journey to London and back.	TOTAL Expenses allowed to Witness.
				£. s. d.	£. s. d.	£. s. d.
Mr. Herbert Read -	Watchmaker -	Coventry -	2	1 10 -	3 6 -	3 16 -
Mr. Lewis Joel -	- ditto -	- ditto -	2	1 10 -	2 6 -	3 16 -
Mr. James Walker -	- ditto -	- ditto -	2	1 10 -	2 6 -	3 16 -
TOTAL - - £.						11 8 -

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*Monday, 17th June 1878.*

## MEMBERS PRESENT :

Mr. Bates.  
Colonel Blackburne.  
Mr. Campbell-Bannerman.  
Mr. Courtney.  
Mr. Orr Ewing.  
Mr. Freshfield.  
Mr. Hamond.  
Mr. Thomson Hankey.

Sir Henry M. Jackson.  
Mr. Muntz.  
Sir Patrick O'Brien.  
Mr. Onslow.  
Sir Charles Russell.  
Mr. Talbot.  
Mr. Torr.  
Mr. Whitwell.

SIR HENRY M. JACKSON, BART., IN THE CHAIR.

MR. EDWARD J. WATHERSTON, called in ; and Examined.

*Chairman.*

1. YOU are member of a firm of Retail Gold and Silversmiths, are you not?—I am.

2. And your place of business is in Pall Mall?—It is.

3. You have had very considerable practical experience in the trade?—I have considerable practical experience.

4. Your name is not unknown to many honourable Members of this Committee as having formed a very strong opinion on the subject of the present legislation upon gold and silver articles?—That is so.

5. In what respect do you object to the present state of the law?—My objections to the present state of the law are these. I regard the taxation of my trade by duties and compulsory hall-marking and exceptional licensing as unjust, impolitic, subversive of the principles of modern fiscal legislation, obstructive to art progress, and as an insurmountable obstacle to technical education in its application to silversmiths' work.

6. The duties, the compulsory hall-marking, and the special licenses, are the three heads of your objection?—Yes.

7. First of all, as to what duties do your trade object?—The duty upon silver plate is 1*s.* 6*d.* per ounce, and the duty upon gold plate is 17*s.* per ounce. In both cases they are subject to a rebate of one-sixth when the goods are sent to the Hall in an unfinished state, so that it really is 1*s.* 3*d.* in the case of silver, and 14*s.* 2*d.* in the case of gold.

0.117.

*Chairman—continued.*

8. How is that duty collected?—It is collected at the several assay halls.

9. It is collected by the assay halls, who become responsible, do they not, to the Government?—Yes.

10. And collected on the article made being presented for assay?—Yes, for assay and marking.

11. Is there no other means by which the duty is, in fact, collected?—There is a duty collected on foreign plate coming into this country, and that is, of course, collected at the custom-houses; and that is 1*s.* 6*d.* on silver, and 17*s.* on gold plate, but not on jewellery.

12. Is foreign plate subjected to any assay?—I believe legally it is subject, but practically not. You can pass the goods through the Custom House, be they of any quality you like, and take them home to your private house, but you are not allowed to expose them for sale in this country unless they have been previously assayed and marked at one of the halls.

13. As I understand, foreign trade so treated, has a distinguishing mark in addition to the assay mark?—No, I believe not; I am not quite sure about it; I have heard that there is a letter F., but, personally, I have not seen it.

14. What silver articles are liable to duty?—All silver plate; not silver jewellery; not such things as silver necklaces and locketts as you see worn by ladies at the present time, but all silver articles above a certain weight are liable to duty, such as spoons or candlesticks, or anything of silver

Mr.  
Watherston.  
17 June  
1878.

Mr.

Watherston.  
17 June  
1878.

Chairman—continued.

silver plate; I believe there are very few exceptions in the case of silver.

15. Do you know what is the weight down to which it is required to be stamped?—Mr. Prideaux will tell you better than I; personally I do not pass our work through the hall myself, and therefore I have very little acquaintance with the exact amount; but I believe it to be two ounces.

16. Watch cases are not subject to any duty, I believe?—No.

17. But they are subject to hall-marking?—Yes, they are bound to be hall-marked, I believe, under a penalty of 50 l., but not when imported.

18. You have told the Committee that certain silver articles have to be assayed before they can be sold; watch cases have to be assayed when they are imported, have they not?—No, not imported watches; only watches made in this country.

19. Now as to gold; what gold articles have to be assayed?—Wedding rings, gold plate, properly so called, which is rarely if ever made, mourning rings without stones, snuff boxes, and watch cases; I believe those to be all.

20. Having given us a list, so far as you remember, of the articles which have to be assayed, are there any gold articles which are by law not required to be assayed; for instance, watch chains?—A watch chain may be assayed, and may be marked, but there is no law by which it must be marked.

21. A watch chain is not assayed compulsorily?—No, not at all; it is quite a voluntary proceeding.

22. Are there any other articles which occur to you as not requiring to be marked?—Anything else of whatever description. In the case of gold the trade is very nearly free; there is scarcely any law to stop the manufacturing goldsmith, except with regard to wedding rings, which are bound to be marked, and they are bound to pay 17 s. an ounce duty, less the rebate. Then a snuff box, I apprehend, is also obliged to be marked and obliged to pay duty. A mourning ring without stones, such as a band ring "In memory of," a *bonâ fide* mourning ring, is bound to be marked and to pay duty, but there is nothing else. You can have other things marked if you like.

23. You spoke of gold plate properly so called; what did you mean by that?—Teapots and such things as those, which are very rarely made indeed. There was a case in my own experience where we had an order to make some gold teapots and gold sugar basins for a Prince in India many years ago, but that is the only experience that I have ever had of making gold plate, with the exception of a vase for exhibition. Such articles generally find their way to the melting pot very soon after the exhibition is over. They are very unsaleable things.

24. Can you tell the Committee how many hall-marking offices there are in the United Kingdom?—In England there are offices in London, Birmingham, Chester, Exeter, Newcastle, Sheffield, and York. In Scotland, in Edinburgh, and Glasgow; and in Ireland, Dublin. I find in the Report of the Select Committee on the Depreciation of Silver, that in England the cost of collecting the duty is 1 per

Chairman—continued.

cent.; in Scotland, 2½ per cent., and in Ireland, 5 per cent. on the sum received.

25. Do you happen to know whether any of those offices has an exclusive jurisdiction or any particular area within which it can enforce an assay, or are they all open to any comer?—I think they are all open to any comer who may happen to have a stamp at the particular hall. I could make plate and get it marked in Dublin, if I had a stamp at Dublin. I am not quite sure of that, but what I am quite sure of is that if a Dublin man have a stamp at Goldsmiths' Hall in London, he can get his plate marked there. I call particular attention to that fact.

26. What do you mean by the expression, if a man has a stamp at Dublin?—If you are a manufacturer, you have to have what is called a punch at the hall; an initialed punch, of which an impression is kept. You have to put your own mark upon the plate when you send it to the hall, and then the hall recognises you as a person having a stamp at that particular hall, and they put the marks on representing that it is silver, which has paid duty, the Queen's head, town mark, and the other marks.

27. Have private makers punches, or a recognised series of marks?—Yes.

28. Can any individual who pleases have a mark of his own at any assay office?—I should say so, decidedly.

29. Does it cost anything?—There is no charge for booking the stamp, and it is not a very expensive article to make; it costs a few shillings only. For instance, E. J. W. I have had that mark for some years; it is very easily made, and not expensive.

30. Does the manufacturer himself put it on?—Yes, the manufacturer himself puts it on before he sends in the things.

31. In what respect do you consider these duties objectionable in every sense?—I said originally, I think that they are unjust and impolitic, and I think I will answer that question in this way: I say they are unjust, because no other similar trade is taxed in a like manner, and because silversmiths have to compete with electroplaters, whose goods are wholly untaxed, and by a strange anomaly (whether good, bad, or indifferent), are permitted to assume marks closely resembling the hall mark on the genuine article.

32. Is silver gilt plate subject to this duty?—It is treated as silver; gilding afterwards has nothing to do with the duty.

33. Assuming the silver to be gilt, would there be an extra duty paid in respect of the gold?—No, only a duty on the silver.

Sir Patrick O'Brien.

34. I suppose the gold would be scarcely appreciable on the silver?—It has nothing to do with it. We get the thing hall-marked, and proceed to gild it afterwards; it has nothing whatever to do with taxation.

Chairman.

35. You have told us that it is unjust with regard to the competition with electro-plate; has there been considerable competition between silver plate and electro-plate of late years?—Very considerable, indeed; and it is for that very reason that I want to see the taxation taken off silver plate, because of the immense competition with electro-

*Chairman—continued.*

electro-plate, which, as I said before, is wholly untaxed. It is allowed to be made, however badly, and yet to assume marks so closely resembling our hall-mark, that you have to make use of a glass to see the one from the other. I should like to point out to the Committee that the very worst character of electro-plate that is made carries marks most closely resembling the silver marks. I could give the name of a first class Sheffield house, Messrs. Creswick & Co., who work under a distinct trade mark, which is "Six arrows crossed;" it is well known in the trade as Creswick's plate. That is the very best electro-plate you can buy; but on the contrary, you may go into the Strand, and buy a shilling butter-knife, with a mark so closely resembling silver, that you can hardly tell the one from the other.

36. Do you consider that the removal of the 1 s. 6 d. an ounce, or 1 s. 3 d., according to the way in which it is paid, would give a considerable impetus to the manufacturers?—Very considerable, indeed.

37. Is the mark on the plate in imitation of the hall-mark legal?—If it is a trade mark. A man would argue in this way. The mark upon silver plate consists of the maker's name, the town mark, the date mark, and the lion, to represent silver, and he would say, "There is no lion. It is not a lion." You might say, "Well, it is a cat." The cat and a lion might resemble one another, but at the same time it would not be a lion, and would not be a silver mark, and therefore it must manifestly be legal for a man to put on such a mark.

38. You consider that the removal of the duty would give an impetus to the trade?—A very considerable impetus.

39. Have you not some statistics of the extent of the manufacture for some years past?—Yes, I have; and those statistics show that there has been a very serious falling off in the silver plate manufacture.

40. Could you give the Committee some details over 10 years?—Yes. In the year ended the 31st March 1855, the amount of silver plate upon which duty was paid amounted to 994,360 ounces; in 1861, the amount had fallen to 893,493 ounces; in 1875, to 886,493 ounces; in 1876, to 870,507 ounces; in 1877, it had fallen to 798,206 ounces; and a further fall is to be expected in the returns to 31st March 1878. I have not been able to get those returns; in 23 years, therefore, in the face of enormously increased national wealth almost incalculable, the trade of silversmith has declined by no less an amount than 194,154 ounces, equal to a wholesale trade of over 100,000 l. a year; the result of which, as might be supposed, is, that there are fewer large manufacturers and less capital engaged in the wholesale trade now than there were 25 years ago.

41. Do you attribute that to the pressure of the duty or to the increased consumption of a cheaper article in the form of electro-plate?—I should say that the competition of electro-plate has had a very great deal to do with it; there is no question about that. Take such things as silver covers, or silver meat dishes, and those heavy goods which used to be made years ago, they have not been made so much of late, but that is a reason why the taxation should come

0.117.

*Chairman—continued.*

off, so that we should be able to make those things as cheaply as possible, having to do simply with the raw material and the workman's wages and a fair profit; but, if you have on the one hand a 12½ per cent. tax as against electro-plated goods, it stands to reason that the electro-plater has very much more chance of selling his goods.

42. Have you any information as to the condition of the manufacture of silver in other countries during the same period?—There is no taxation of plate in America, and the effect there has been, which is particularly to be noticed by the Committee, that one manufacturer employing 800 workmen, works up more silver in one year than the whole of the British silversmiths put together. His manufactory, I believe, is in Rhode Island. Another thing is, that his work is most artistic. I have ventured to send to the Members of this Committee a Paper showing the artistic nature of the American plate. It is a very good article, and shows distinctly how very far advanced the Americans are compared to the English.

43. Do you know anything about it in France; do you know whether plate holds its own against electro-plate better than here?—I have no great amount of statistics with regard to the amount of French plate that is manufactured, but their tax is very much less than ours; it is only about 6 d.

44. But, as a dealer, do you know how far the electro-plate competes in France with the real silver?—I should think in a similar manner to what it does here. If a man bring out electro-plate, and he beat the silversmiths, it cannot be helped, only I do not want to be handicapped. I say, Let me fight fair.

45. I think, in your notes, you suggest that the silver duty was originally a war-tax?—It is evident that it is so. It was originally put on in 1719, at the termination of the Spanish War, when the National Debt began to be felt, and then it was increased, and increased according to the necessities of the case until, in 1815, it was raised to 1 s. 6 d.

46. But the assaying of the standard fineness and purity was very much older than that, was it not?—Yes, from 1300; it has come down to us from mediæval times.

47. The next head which you gave was that you objected to the compulsory hall-marking, and I should like you to develop that a little further, if you are so disposed?—I consider that compulsory hall-marking is likewise a tax prejudicially affecting the silver trade, because of the delay and inconvenience and trouble, which are rightly called taxes by Adam Smith, by John Stuart Mill, and by all the political economists that I have ever met with. There is a very considerable amount of delay, and a very considerable amount of trouble and inconvenience and expense attached to the system of hall marking.

48. Will you tell us about what is the cost of getting an article hall-marked, and explain the delay and inconvenience and expense in what you have to do as a manufacturer, to get it assayed?—You must remember that I am not a manufacturer, and therefore, personally, I have nothing to do with it; a manufacturer has to get his plate made, and then sent to the Goldsmiths

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*Chairman—continued.*

smiths' Hall, where it has to be delivered before a certain hour in the morning, and to be fetched away late again in the day, which, of course, is trouble and inconvenience; and it has to be scraped, and the parting assay taken, in many instances to the injury of artistic work. It is almost impossible to scrape plate without doing a certain amount of damage and injury. Then every little piece, every nut, and every screw, and every portion of it, has to be sent down separately. The trouble, the inconvenience, and the delay, are absolutely taxation.

49. And are they expensive?—No, the expense is very small.

50. Are you quite sure that every part of the article has to be separate?—I believe that all parts of the article have to be sent down separately, all the nuts and screws. In the case of artistic plate, of which I could show designs, especially of foreign manufacture, it would be seriously injured by our present method of hall-marking.

51. There is some rule, is there not, that if plate is not up to the standard, the hall-marking authority breaks it?—Yes, I regard such a law as unjust in the extreme. Taking the case of a manufacturer who has by an accident so alloyed his silver as to be in ever so slight a degree below standard, but has been to the expense of manufacture, possibly to the extent of many pounds value, I consider the breakage of his goods and the destruction of his property to be an act of vandalism.

52. That is the law at present, is it?—Yes; there is no respect shown to the artistic merit of the article; it is simply that it is a little below the standard, and it comes back smashed.

53. Have you ever known a case of that kind in actual practice?—Yes, my own firm have had goods smashed, years ago, when we were manufacturers. My father told me the other day of a silver snuff box which was broken up because it was a trifle below standard, and in that case the workman's wages alone were 10 l.

54. You say that it may be a little below the standard; do you know how many standards there are?—In silver there are two, the old and the new; that is to say, of 11 dwt. 10 grains in the pound troy, and 11 dwt. 2 grains. In gold there are several qualities, viz., 22, 18, 15, 12, and 9 carats; a carat meaning a 24th part; 9-carat gold ought to be called brass alloyed with gold; it has no right to the title of gold.

55. But the law now permits an assay down to 9 carats?—The law allows it to be marked as 9-carat, and to be stamped as gold; I should say that the trade are unanimous in condemning that practice.

56. Is there much 9-carat gold about?—I met with a case the other day. A lady showed me a chain that her brother had given her; it was hall-marked in every link; she had no notion that it was a piece of hall-marked rubbish.

57. You said just now, did you not, that if an article were a very little below the standard, it would be broken up?—Yes, however trifling the degree.

58. Supposing it were tendered for marking as being up to 12, when really it was below 9, would it be broken up?—No; I apprehend

*Chairman—continued.*

then that we could demand to have it marked as 9. This is gold.

59. Nothing would be broken up unless it were below 9?—I should imagine not. Gold plate is bound to be made of 18 carat, I think. I am not quite sure about the law. I have heard of things being broken up, because, on looking at the "Horological Journal," I find it speaks of watches having been so treated. In the "Horological Journal" for November, page 31, it says: "What we most objected to in the charges was that the company when they broke up the work for defect of quality in the gold (so that there must be some breaking up in the case of watch cases), still charged for stamping, so that the case maker lost both the value of his work and the cost of assaying and stamping; otherwise he (the chairman of the meeting) thought the company very honourable in their conduct."

60. One principal ground upon which this hall-marking, as distinguished from the duty, is maintained, is the protection and security which it gives to the public against fraud?—Yes.

61. Will you give the Committee your views upon that suggestion; what do you think is the protection?—I do not think that the public want any such protection at all. They have in it no other similar trade; in fact, in no other trade whatever. Taking the case of a carriage builder; there is no protection to a man who gives 300 l. for a carriage, whether he gets seasoned or unseasoned wood. It is very much better that the public should be thrown upon their own resources, and that the buyer should buy that which he wants; but it is not at all necessary that he should have a sort of "monthly nurse" legislation to look after him when he is buying a teapot. There is no sort of guarantee to the purchaser in the case of a 10,000 l. diamond necklace, and why on earth do the public want a guarantee on a teapot which costs them 10 l. or 12 l.?

*Sir Patrick O'Brien.*

62. Does not it occur to you that in the case of a carriage, a perishable article, it may perish with the man who bought it, but in the case of gold or diamonds, they are things which last for an indefinite time, and therefore the difference is very considerable?—A carriage may be transferred and it may last a considerable number of years. I merely go upon the economic truth that trade is very much better left alone to stand or fall on its own merits, and that the trade of the silversmith would, in my opinion, flourish very much more in this country if it were perfectly free and under no restrictions whatever.

*Chairman.*

63. Of course you must admit that, taken by itself and apart from any question of disadvantage, there is a certain amount of satisfaction in knowing that a hall-marked article expresses the standard which appears on the face of it?—Yes; as you see by what I have written. I consider it ought to be a voluntary institution just in the same way as it practically is in the case of gold. Silver is only worth 4s. 6d. (*practically*), and gold, roughly speaking, 3 guineas an ounce. The public get on very well with free trade in gold, and would get on equally well with the voluntary system,



*Chairman*—continued.

system, with free trade and voluntary hall-marking, in the case of silver plate and watches. Manufacturers would get their goods marked, and probably shopkeepers would desire to have goods marked, and they would get marked goods; but if, on the other hand, they did not particularly want a mark, but preferred to have a trade mark of their own, they would do precisely as they liked.

64. You think that it resolves itself into a question of confidence in the dealer and of trade reputation?—Just so.

65. Then you consider in place of the Government authorities hall-mark, the system of private trade marks will spring up, which will answer every purpose?—Yes.

66. Each great manufacturer would impress his own private trade mark, which would be all the guarantee that the public would have?—Yes, and at the same time he would be able to get a hall-mark if he wanted it.

67. You spoke about scraping; what did that expression mean?—It means that in order to make a parting assay a small portion of the silver or gold must be scraped off the article; but in France it is done by the touch. If we had the system of voluntary hall-marking in this country, it would be very desirable that the touch should be substituted for the scrape and parting assay, in the case of artistic plate.

68. Do you understand the difference between the two?—Yes, assaying is the simplest possible process; I have brought down a little book which will explain to the Committee in half a minute what assaying is.

69. Can you explain to the Committee how the touching assay is done?—It is done very easily; the article is rubbed on a stone, and then with very strong acids the precise quality of the gold or silver can be ascertained within one per cent. The parting assay may be retained for aught one cares on spoons and forks, silver waiters, and those sort of things; but what I am talking about is artistic plate. I have brought with me a photograph of a beautiful piece of plate manufactured in Rome (*producing the same*); it would seriously damage such a piece of plate if it were scraped and assayed; whereas, by the touch, it could be done as easily as possible.

70. Could not it be scraped underneath the bottom?—That is not the practice. They do not scrape just where you want them to scrape; the reverse is the case in many instances.

71. Practically, is the place in which they scrape a subject of complaint?—It is. Also where marks are placed. A beautiful rose-water dish, a little time ago, was invoiced to me by one of the largest manufacturers in London. A rose-water dish, as you are aware, rises in the centre, and then it has a hollow place for the rose-water. The hall-mark was right in the middle of the central disc, and not even in the centre of that. There was no engraving it, because it had this barbarous mark right in the middle. I sent it back to the manufacturer and told him to re-mark the plate or I would not pay for it.

72. In which assay office was that done?—At Goldsmiths' Hall; it was very prominently done, whereas it could have been put at the side, or anywhere else. It was the very last place where one would have put it. Supposing you had a model of a female figure, you might as well have it put on the face.

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*Chairman*—continued.

73. With regard to the imitation of those hall-marks on electro-plated goods; as a matter of fact, do electro-platers put on articles of electro-plate marks which an expert knows not to be the hall-marks, but which the public may be deluded in to thinking to be the hall-mark?—Yes. I have sent out plate on loan for hire, and have had plated spoons come back for silver, and silver spoons come back for plated; the public know nothing about the marks.

74. But surely you, as an expert, would know?—Yes.

75. Still, the hall-mark is important as a means of identifying real silver?—Yes, it is a means which is very useful to a second-hand dealer, because it saves him the trouble of finding out what the quality is.

76. You mentioned as another matter of complaint special licensing; what did you mean by that?—Every one in my trade has to pay for a license. I pay 5 *l.* 15 *s.* a year for the right to keep a shop as a silversmith and jeweller, and I pay 2 *l.* a year more for being allowed to make valuations.

77. That is an appraiser's license?—Yes. I have to pay 7 *l.* 15 *s.* for my right to open a shop in Pall Mall, and I complain of that most bitterly. I say why should not we sell our goods without a license?

78. But your auctioneer has to get a license?—Yes.

79. And your horsedealer and your attorney?—Yes, an attorney does, but not a barrister.

80. And a licensed victualler has to get a license. You are simply complaining of what others have to submit to?—I complain of the individual taxation. I do not want to be taxed one single farthing beyond anybody else.

81. However, that is merely 7 *l.* 15 *s.* as affecting the license?—Yes, but it affects all the members of my trade; there are 12,777, I see, who have paid for licenses in this country; if you sell less than a certain amount, you only pay 2 *l.* 6 *s.*, and that is a very foolish arrangement of the law, for this simple reason, that a great many people pay 2 *l.* 6 *s.* who ought to pay 5 *l.* 15 *s.* Without mentioning names, I went into a shop the other day where I knew the man very often sells second-hand candlesticks; I took a pair off the table and saying, "What are these?" he said, "They are capital old candlesticks." I said, "Do you pay 5 *l.* 15 *s.* for a license?" "No" he said, "I do not; I pay 2 *l.* 6 *s.*" I said, "But these weigh about 100 ounces"; he said, "I do not know anything about that." Numbers of people take out a 2 *l.* 6 *s.* license who ought to pay 5 *l.* 15 *s.*; but there is nobody to look after them.

*Mr. Bates.*

82. You wish to have it altered to make them all pay 5 *l.* 15 *s.*?—Yes, alter it by all means, so long as it is all round fair. Let all trades pay 5 *l.* 15 *s.* and I shall be satisfied.

*Chairman.*

83. What alteration in the law would you recommend?—I should like to see the duties abolished altogether on all silver, foreign as well as English, and to have perfectly free trade.

84. You would abolish all the duty that is paid to the customs?—Yes. I would abolish licenses, unless the Government be prepared to license all other trades and professions; I say they ought to take

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take off the license from *my* trade; the Government have no right to charge one trade with a license and let other trades off. I do not think it is the duty of the Government to maintain exceptional taxation for any one.

85. Does the man who deals only in electroplated goods pay a license?—No.

86. Is it a license for manufacturing or for dealing?—For either. But there is another thing which should be mentioned, watch-case makers do not pay a license; they were excused some few years ago, whereas watch sellers have to pay.

87. Upon the question of hall-marking, I understand your view to be that it should be abolished as a matter of compulsion, but that, if the Goldsmiths' Company or any other public body think fit to do it voluntarily, there is no reason why they should not be allowed to do so?—Quite so; and I go further, and say that, if there be a number of manufacturers in Liverpool, or Manchester, or Bristol, and they happen to be sufficiently numerous to require a hall, by all means let them have a hall.

88. Would you retain the penalties which at present exist for imitating the hall-marks, and forging them, and so forth?—Yes. There is no doubt that there must be laws to punish forgery so long as you have even voluntary hall-marking, as in the case of a trade mark. The law is very favourable to the prosecution of anyone who touches another's trade mark.

89. Do not you appreciate the difference between an individual trader complaining of another man imitating his trade mark, and the public going out of its own way to require that a certain standard shall be maintained?—Yes, I quite see the difference; you must have laws to prevent forgery.

90. And you see no objection to that?—Not at all.

91. Have you any complaint to make with reference to the assaying authorities themselves, as at present constituted?—I object very strongly to the mode in which the Goldsmiths' Company is constituted as the hall-marking authority.

92. That is to say, the hall-marking authority ought to be constituted of different men?—Yes. Of course I have only the experience of my hall, but I read the Report of the Select Committee of 1856, on which the honourable Member on my right was sitting, and I find that the halls were in a desperately bad condition at that time, and I do not believe that they have been altered since; confining myself to the Goldsmiths' Company, I think that the hall-marking authority, the court or governing body, is formed now upon very wrong principles.

93. Do you object to the way in which they do the hall-marking, or do you object to the law which gives so important a public function to a body of gentlemen who have not experience in that particular trade?—To the law; I have no cause to complain of the manner in which the work is done.

94. Then yours is rather a theoretical than a practical objection?—Decidedly so.

95. If they do the work well and employ proper people, I do not see that there is much room for complaint?—The wardens of the Goldsmiths' Company hold authority and power in their hands affecting the liberty of the subject, and my own personal liberty. They have power under their Acts of Parliament to walk into my shop and

Chairman—continued.

examine my goods, which I object to very strongly; I must say, however, that that never has been done; it was left off years and years ago, and it has become obsolete altogether, but still I consider that the wardens or a portion of them ought to be men who understand my trade, and the modern requirements of my trade.

96. If they employ people who do know, and who are themselves men of integrity, what is the objection?—They are simply the servants of the company. The wardens are the men with whom the law is vested.

97. That I take it, is rather an objection to the existence of assay offices than to the individual persons whom the Goldsmiths' Company employ to do the work?—I have very little desire to have assay offices, but if I had such a desire I think they ought to be conducted by men having some practical acquaintance with the trade. Last year the four wardens of the Goldsmiths' Company were the eminent engineer, Mr. Bramwell, a porcelain manufacturer, a stockbroker, and a merchant, and I apprehend that honourable Members would all say that those gentlemen know nothing whatever about my trade; I do not see why they should have these laws vested in them at all.

98. Have you ever considered whether a public office should be constituted?—Yes, I have talked to my father about it, who has had considerable experience, being a man of 70 years of age, and 55 years in the trade; 40 years as a manufacturer; and his general impression is that the Royal Mint, removed from its present position to the Embankment, should have the diets from all the halls of Dublin, Liverpool, Manchester, or wherever there happened to be a hall, sent up regularly to that department as the assaying authority.

99. Do not you wish to say something on the subject of the effect of allowing a rebate of duties under certain circumstances?—Yes, that is a very important point. The rebate is one-sixth. On spoons and forks and die work generally there is scarcely anything taken off in the process of finishing, *ergo* there is a profit of 2 *d.* an ounce to the manufacturer. They only pay 1 *s.* 3 *d.*, and they charge 1 *s.* 6 *d.* The rebate is allowed, so that there may be no loss in the process of finishing by engraving, chasing, or polishing.

100. Is the rebate an allowance made by the Government?—Yes. Plate comes back from the halls in a rough state, and in many instances a great deal of work has to be done to it which involves a loss of material.

101. Does the manufacturer pay 1 *s.* 6 *d.*, and get 3 *d.* back, or does he only pay 1 *s.* 3 *d.*?—He pays 1 *s.* 3 *d.*

102. Is not there a rebate, or a drawback on exporting silver?—Yes. The entire 1 *s.* 6 *d.*

103. Have you any practical acquaintance with that?—Yes. I think the law is in a very bad condition.

104. Would you explain exactly what you mean by that?—Supposing goods are sold for export, say, to India, they must be packed in an open case; an agent must be employed to send them down to Southampton, or any other port; they have to be taken out of the case and weighed; ivory handles detached, involving all sorts of annoyances and hindrances; they are repacked by irresponsible packers, sent away to India, and in many instances arrive broken. The other

*Chairman*—continued.

other day we had a case, which I wish to bring particularly before the Committee. Some candle-labra were sent off in this way, and they arrived in India broken. I had a letter from my customer, telling me that the things had arrived broken, and that they must be sent back to England for repair. They came back, and I had to pay duty when they came in. I am met now with another difficulty. We are going to send them back again, and we are led to believe that drawback will not be allowed a second time.

*Mr. Orr Ewing.*

105. Did that happen in that case?—No; but this is what I am told, and I want Sir Henry Jackson to ask the proper authorities whether that will be the case. They are at the present time in my house, and when repaired will have to go back to India.

*Mr. Onslow.*

106. Is not the remedy in your own hands; had you not better employ more careful agents?—We do employ the most careful agents that we know; you will find that there are only a few agents that can be employed. We have employed King & Co. and Wheatley & Co.

*Chairman.*

107. The instance which you have given us is simply this: that plate, which has been exported by you, has been broken in transit, and has given you a great deal of inconvenience; but that does not touch the broader question of the operation of the rebate, the drawback which the Government give on exporting?—Yes; pardon me, I think it does touch the question exactly. If there were no duty there would be no drawback. We should pack the things up and send them right away to India just in the same manner as a bale of cotton.

108. Then it comes to this, that in order to get the drawback your goods have to be subjected to a certain manipulation?—Yes. It is of very grave importance to the trade of this country that we should be so stopped.

109. Could not that difficulty be remedied by a more liberal way of allowing the drawback?—It could. In France, if a man wants to send plate to England, he simply packs up his goods and takes them to the particular marking authority, who puts some seals on it and send it straight through, and there is no trouble whatever; but here we have a considerable amount of trouble.

110. Still, if we adopted the French way of allowing drawback, you would not complain on that head?—No, I should have no just cause of complaint on that head, excepting that I object altogether to the duty; that you will understand; but if there be a duty I should say, let us pack our goods up in the best possible manner, and send them out with the least possible damage, or the least possible chance of damage.

111. That would be a matter of customs detail, would it not?—Yes, and that again should be in the hands of men of business, who know what the requirements of business are.

*Mr. Hamond.*

112. With regard to the silver upon which 1 s. 3 d. only is paid by the manufacturer, if that

*Mr. Hamond*—continued.

same silver is exported, do the Government allow a drawback of 1 s. 6 d. upon it?—Yes.

*Chairman.*

113. That, you think, is simply a blunder on the part of the authorities?—Yes; in the case of spoons and forks the manufacturer gains 2 d. per ounce.

*Mr. Hamond.*

114. When an article is finished, is it of much less weight?—About 1 d. an ounce; but I am told that in the manufacture of other plate there is not any very great amount gained upon the rebate.

*Chairman.*

115. I see you also suggest that the present law works oppressively on small capitalists; will you be so good as to develop that?—That is evident. A portion of every silversmith's capital is invested in duty. Taking the case of a man with an ordinary stock, supposing him to have 500 l. invested in duty, it would be better for him to have 500 l. worth of watches and clocks, or 500 l. at his bankers.

116. However, that would apply equally to the dealers in any other excisable commodities?—With the exception of gold and silver plate, there are no excisable commodities but tea, tobacco, wine, spirits, and beer.

117. That is also a general objection to the Excise?—Yes; I object to a man having so great a portion of his capital in duty.

118. There are a good many people in your trade who want to adhere to the present law, are there not?—You are sure to find, in the case of all traders, that monopolists like to retain their privilege.

119. What do you mean by "monopolists"?—"Monopolists," as far as I can understand the word, means men who having the trade in their own hands, do not care about letting it go very far away from them.

120. And they consider that the duty and the hall-marking, and all those restrictions, have the effect of keeping the trade in their own hands?—Yes; it prevents small men from becoming manufacturers.

121. You think that that is the outcome which is to be looked for from the system of Excise?—Quite so.

122. Do you recollect any other subject on which you wish to say anything to the Committee?—Take one more case with regard to watches; I am much interested in that point; watches with metal domes. Watches with metal domes are not allowed to be made in this country, but at the same time I believe that I sell more watches with metal domes than any other class of watch; therefore, I particularly want to point out that the watch for which there is the greatest demand cannot be made at all in this country.

123. Will you explain to the Committee what you mean by a metal dome?—That is a metal dome (*producing a watch, and handing the same to the Chairman*). That comes into this country perfectly free, and yet it is not allowed to be made here.

124. What kind of metal is it?—It is a brass dome, gilt.

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125. This

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125. This which I hold in my hand is a foreign watch?—Yes.

126. It pays no duty?—Not at all.

127. And is not by law required to be hall-marked?—No.

128. It may be sold in the market without a hall-mark, on the responsibility of the dealer?—Yes. I generally put my name upon them, and people are quite content.

129. This watch is not all gold?—No.

130. The outside may be taken to be gold?—Yes, it is 18-carat gold.

131. But what watchmakers call the “dome,” that is, the inner protecting case, is of some inferior metal?—Yes.

132. If this watch had been manufactured in England it could not have been in this condition, because the English law does not allow a watch case to be hall-marked unless it is all gold?—No.

133. Therefore, an English manufacturer is not by law allowed to make a watch containing a metal dome?—He is not.

134. If the public should prefer a watch with a metal dome to a watch with a gold one, you could not get it of English manufacture?—That is so; the public prefer cheap watches; that is the point. It is not simply that they prefer a watch with a metal dome.

135. However much they might, for the sake of cheapness, be content to put up with a metal dome, an English manufacturer could not make one?—No.

136. And that is by reason of the old statutes regulating the making of English watch cases?—Yes, which I think foolish old laws.

137. Are you not aware that that being the strite of the law, foreign manufacturers have recently sent into England watch cases made abroad, and got them hall-marked in this country, as though they were English watches?—Yes, I am wearing one now; I know it to be a foreign watch which has the English hall-mark; I sell those watches, and I am very glad to sell them.

138. What kind of dome has it?—A gold one; it is a very expensive watch.

139. The English hall authorities would not mark it unless it were all gold?—No.

140. In that way it is a guarantee, is it not, that it is of the same quality as it would have been if it had been made in England?—Just so.

141. Is not the English hall-mark to some extent a trade mark; does not it count almost as a trade mark in the colonial market?—I have no doubt it does; but it is so easily forged abroad that I do not think that that ought to be taken into consideration.

142. But it is in practice, to some extent, a trade mark?—It is, but with this distinction, that the inside of the watch, that is the best part of the watch, is always sold under a trade mark.

143. You know, do you not, that the English watch-case makers object very much to English hall-marks being put on foreign-made cases?—I know they do.

144. Do not you recognise that as a very reasonable objection?—No, I do not; I regard the question myself as a dealer; I have in my own wear a watch which cost me at least 10*l.* less than it could be made for in this country; it goes very well, and I have worn it for 14 years; I sell such watches very frequently, and never

Chairman—continued.

have any cause of complaint; they are 10*l.* cheaper; *ergo*, I prefer to buy these watches with the English mark in them, because it shows my customer that they are of 18-carat gold.

145. Could not the maker of that watch have got the 18-carat gold mark put just as well in Switzerland as in England; could not he have got a hall-mark in Switzerland, signifying that it was 18-carat gold?—Yes, he could.

146. Would not that Swiss mark have told you and your customer that it was 18-carat gold just as well as the English mark?—Yes.

147. If so, why should it have the English mark upon it to represent that it is something different to what it really is?—I do not see why it should, but I do see one very good reason why you cannot help it. I distinctly see that whatever law may be made to prevent it, anyone might be able to ride through it.

148. You think that the tricks of trade would be too many for you?—Yes.

149. Do you know what a foreign manufacturer pays for getting the hall-mark?—A few pence.

Mr. Bates.

150. The hall-mark guarantees the quality, does it not?—Yes, it guarantees the quality of the gold, but the most important part of the watch is the inside.

151. Where is the inside of this watch made?—In Switzerland.

Mr. Tulbot.

152. With regard to the licenses, can you give the Committee any information as to the amount which those licenses produce in the year?—Yes, somewhere about 41,000*l.* a year.

153. And with regard to the duty, what is it?—The duty on silver may be taken, I should think, at 60,000*l.* a year, and the duty on gold at about 22,000*l.* Last year the entire duty amounted to 82,000*l.*

154. Then the whole amount of the receipts to the Exchequer in the United Kingdom is something over 100,000*l.* a year?—Yes.

155. Have you any proposition to make as to how this is to be replaced, as you wish to abolish the whole?—I should like eventually to abolish it all. I do not say that you could do it at the present moment.

156. Supposing the proposition were to be entertained by the Chancellor of the Exchequer, what would you suggest to him to put in its place?—Mr. Gladstone never took a tax off one article and put it on to another; and he took taxation off 1,200 different articles.

157. Have you any proposition to make for the replacement of that tax?—None whatever.

158. I do not suppose that your suggestion of taking off this tax will produce any addition to the revenue in any other shape?—I do think it would do so, distinctly in the same way as in all other trades; I look upon it in this way, that many years ago, before free trade, the Chancellor of the Exchequer's revenue was 47½ millions, and it is now 80 millions. There is no doubt that the increased revenue is entirely the result of free trade; therefore, I say, take the tax off our trade, and we will repay the revenue by increasing the amount derived from the income tax, and by increased contributions to excisable articles; you will encourage us to do more trade, and certainly we shall respond.

159. You

Mr. Tulbot—continued.

159. You say by increased contributions to excisable articles, but why should the duty be maintained on other excisable articles if you are let off?—They would not be enhanced. When a man gets on in life, he pays his wine merchant more. But this is an art industry.

160. Then you claim as an art workman, to be exempt?—Most decidedly; I look upon my trade as an art industry that is being kept back and injured year by year and day by day by taxation, with no chance of improvement in the least degree until taxation is abolished. And with regard to technical education, which is now being applied in the case of other trades, notably in the case of the cloth trade by the Clothworkers' Company, you cannot begin the work of technical education for the silversmith till taxation is abolished.

161. Then, in fact, you say this is a tax upon education?—Emphatically so; doing more damage day by day than any other tax that you could name; that is my firm impression.

162. I understand that you wish the voluntary system of hall-marking to remain?—Yes.

163. But how is this voluntary system to be established; under what regulations?—It could easily be under regulations. It would only be necessary to take the present Acts of Parliament, and see what portions of the Acts had effect upon the compulsory system, and omit all those, and re-enact the parts which would work in with the voluntary system.

164. Do you desire that there should be a system of hall-marking in London only, or all over England?—I should like to see a hall-marking authority wherever manufacturers desired or required it.

165. Are the expenses of those authorities to be defrayed by the manufacturers themselves?—The charges for the hall-marking must be sufficient to render the hall self-supporting; I would not have a penny of the public money spent for the sake of gold and silversmiths.

166. Now, as to the constitution of the Goldsmiths' Company; you have no charge to make against the Goldsmiths' Company for the improper conduct of their business?—Most assuredly not.

167. But you say that they ought to be personally conversant with the trade?—When they first had their charter, doubtless they were all goldsmiths and silversmiths; but now they are nothing of the kind. In fact, to be a silversmith or a goldsmith is a very great reason why you should not be a member of the governing body.

168. Is it not possible that being a goldsmith or a silversmith might give the person some slight prejudice?—Yes.

169. I asked you whether you did not think that the presence of goldsmiths or silversmiths on the governing body of the Goldsmiths' Company might have prejudicial effects upon the fairness of their decision; do you think so or not?—It might be so; I should still make objection to be under the Goldsmiths' Company if it were solely composed of craftsmen. My reasons are these: that the interests of the dealer and of the manufacturer are totally dissimilar. The manufacturer's interest is that we should not sell foreign productions. It is the interest of the manufacturer that I should not sell that piece of plate, which I have mentioned as com-

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Mr. Tulbot—continued.

ing from Rome, but it is my interest to sell it. Again there are dealers and dealers. There are men who deal in new plate, and there are men who deal in old plate. The dealers in old plate have a very great respect for Hall-marks, because they get their money entirely by the marks. I need not tell you that a vast quantity of the ugliest plate that can possibly be imagined is sold at enormous prices, because it has got an ancient mark upon it. You see there are three different classes of men belonging to one identical craft, and their interests are as different as possible. There are four members of the craft on the Goldsmiths' Company. One is my father, who is a retail dealer; his interests are to sell everything that he can get a customer for; two deal in old plate; it is their interest to look after the marks: and one is a manufacturer whose interest it is that we should have no foreign plate imported into this country at all. Therefore, as I say, I should strongly object to be under the control of those four gentlemen.

170. Then changing the constitution of the Goldsmiths' Company, would not give you any satisfaction?—Not at all; I have no desire to alter the constitution of the Goldsmiths' Company so long as they do not interfere with me.

171. You spoke about the hall-mark as showing the date of the year; that is to say, there is a different hall-mark for each year, is there not?—Yes, for each year there is a "Letter." That is about the most absurd law that could possibly be imagined. I have brought down Chaffers's book to show it to the Committee. I need not tell you that, as a man of business, I look upon the date mark as distinctly wrong, for this simple reason; I do not want my goods turned into old stock directly I have bought them. Some years ago, when I first went into Pall Mall, I bought a number of tea sets. A few days ago I sold one of those sets. In a few days after, my customer came and said, "Mr. Watherston you ought to have told me that that tea set that I paid you for was old stock." I said, "Indeed." He said, "I bought Chaffers's book, and I find that that tea set was made 19 years ago." "Now," he said, "you ought not to have let me buy an old stock thing like that." "Well, Sir," I said, "I am very sorry, but it never occurred to me that silver plate could be old stock." But he evidently treated it as old stock, and I lost a good customer by it. I consider that it is an absurdity to put the date mark. No one in any other trade does it. There is no date mark on a pianoforte, nor on anything else that you buy. It is a monstrous thing that in this country we should have our goods turned into old stock in that way.

172. May there not be some advantage in people knowing the date of articles which they buy, the value of some of those articles being enhanced by the fact of their being old?—But it cannot be to my advantage as an individual tradesman to keep stock which in the course of time, say 100 years hence when I am dead and gone, should be sold as old plate. That is not my interest, but a very long way off my interest.

173. Then I understand you object to dating altogether?—Yes; I should distinctly say that the date mark is a monstrous absurdity.

174. If that principle had always been established, you would not have allowed us to be

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able to find out the date of old china and other ancient valuables?—But you would have got on very well without it. There would, in all probability, have been corresponding advantages. There have been what are called trade marks; for instance, there is no hall-mark on the bottom of an old blue china teapot, but there is a trade mark by which you know the date pretty well. You know pretty well when a certain manufacture ceased to exist, and when a certain manufacture was founded.

175. Then, practically, it is a date mark?—It is really and literally a date mark.

176. Then it may become old stock, like your tea set?—It may, but I do not think that that is an argument which could be pressed; because, take Doulton's ware, there is no date mark on it, but we know very well that it will carry a date mark, and that we shall know when the manufacture was commenced, and when it ceased.

177. Is the date mark obligatory?—Yes; I want also, whilst we are upon this point, to complain of another mark; I have shown you that the date mark is in my opinion a great folly, but there is a worse folly still, and that is the town mark, which is also an injustice. The town mark in London is a leopard's head, and in the other parts of the country there are different marks. The trade have great confidence in the Goldsmiths' Company of London, for there the marks are put on with greater care, and the plate is more surely standard; *ergo*, the country manufacturers find that country-made plate does not sell so well as London-made plate, and so they have to send their goods up from the country to London to get the London mark put upon them, and then they are sold as London-made plate, whereas probably they are made in Dublin, or Exeter, or Chester, or Sheffield, or anywhere else.

178. Is it not also the case that some part of the public prefer plate made in provincial towns?—I never found any yet. The dealers do not.

179. I think there was some evidence to that effect before the Committee of 1856?—I never found any; on the contrary, I find that people like London-made plate; if you take the case of a very good maker, we will say in Dublin, what a hardship it is for that man to be obliged to send his plate up to the Goldsmiths' Hall in London to be marked, in order that it shall not be condemned as country-made plate. In other words, as a dealer says sometimes, shrugging his shoulders, "It is only Irish plate." The Irish manufacturer does not like it at all. I have had a great many letters from Ireland complaining of it. There is another thing with regard to Irish plate, and that is the figure of Hibernia. There is a figure of Britannia which is placed upon plate of the higher standard, 11 dwts. 10 grains to the pound troy. What is easier than to get Hibernia put on to some Irish plate, and to titivate it up and make it look like Britannia, and turn out the Queen's head, which is the duty mark, and then to pass it into the market as old Irish plate.

Mr. Bates.

180. That is fraud again, is it not?—Yes.

Mr. Talbot.

181. Is there any reason because there are

Mr. Talbot—continued.

forgeries and frauds why plate should not be marked in the town or district in which it is supposed to be made?—But how much better it would be for a Newcastle manufacturer to get his mark put on, which mark would be simply his registered name, and the lion which would tell everybody that it was silver plate.

182. Do you think that the present grievance would be remedied if it was made penal to mark any plate with the mark of any particular hall unless it was made within the district of that hall?—But you would be always altering the law.

183. I ask you whether you think that this alteration in the law as suggested, would meet your case?—No.

184. There is one other point upon which I should like to ask you a question; you say that foreign watches come into this country to have an English mark put upon them, and that they are sold as English watches?—They are sold as watches; I cannot say that they are sold as English watches.

185. At any rate they have a particular value given to them by the English mark?—Yes, I suppose they have.

186. You told the Chairman just now that this watch which you spoke of that came from Switzerland had an English mark upon it, which gives it a greater value than if it had the corresponding Swiss mark upon it?—I did not intend to say anything of that kind; I say that that watch came to me as a dealer, and I find that it is a very much cheaper watch than I can get in the mother country; it has got some mark on it which will make it sell, and I do not see why I should not sell it.

187. What are those marks?—Those marks are the London Hall-mark.

188. And it has a greater value because it has the London Hall mark?—Yes.

189. Whereas, in fact, it is a foreign-made watch?—Yes, it is a foreign-made watch, but the consumer does not care where it is made.

190. The consumer must care, else why does he pay more for it, having the London mark?—I think we have practical experience that the fact of its being hall-marked has not increased its cost.

191. But it has increased its selling value to the buyer?—I cannot say that it does; I said distinctly that it is 10*l.* cheaper than I could get the same watch for if it were made in England.

192. Would you give as much for that watch without that mark?—Yes, I apprehend so.

193. Would the consumer, the ordinary purchaser, give as much for that watch without the mark as with it?—I apprehend so, but then so long as hall-marking is thoroughly understood in this country, as we know it is understood, people turn the thing about and look for a mark, and therefore we dealers like to have the mark.

194. Therefore, the purchaser gives more for it because it has a particular mark upon it?—Yes, I think that perhaps may be inferred.

195. Do you think that that is a desirable arrangement to remain, that persons should be allowed to import watches into this country and get them marked as being made in a country where



*Mr. Talbot—continued.*

where they are not made?—I say that I do not believe you could make laws to prevent it, because if you do, you will have watches smuggled in, and the thing will be done after all.

196. What remedy do you suggest?—Open the ports and have them in as free as possible. Let them come in, and if we choose to get them marked, so long as there is a voluntary system of marking, let us have them marked.

197. Do you think that there is protection to the purchaser if people are to be allowed to put a mark upon watches by voluntary associations?—No, not by a voluntary association, but by a voluntary proceeding. The marking must be in the hands of the Government.

198. Are people to be allowed to put a mark upon a watch which that watch has no right to have?—I do not know that anybody can say it has no right to have it.

199. That mark meaning that it has been made in England?—No, it only means that the gold is 18 carat.

200. It has been taken to the London Hall to be stamped, has it not?—Yes, and the inference, I must acknowledge, is that it is made in London.

201. Though it may not not be said in so many words, the inference is that it is made in England?—Yes.

202. Ought that state of things to be allowed to be maintained?—Yes, I see no reason in the world why it should not be allowed to be maintained just in the same way as with Coventry watches. Supposing a watch were made in Coventry, it can be sent to London, and marked there and returned again. The consumer does not ask whether it is made in Coventry, or whether it is made in London, but if it has got the London mark on it I suppose he presumes that it is made in London; but it is just the same with Coventry as with the foreign market, the consumer does not care the least where the watch is made.

*Sir Charles Russell.*

203. You complained that plate was often very carelessly marked, and you told us a story of a rose-water dish; supposing the marking under the voluntary system to be continued, should you say the maker of plate has a right to indicate the place where it is made?—Yes, he has that now; he does indicate the place.

204. And it is done?—Yes.

205. Supposing then the voluntary system to be adopted, as you suggest that there should be a maker's mark, a sort of trade mark, which mark should be taken as a guarantee to the purchaser that the article sold was of a certain quality; would you have a mark put into a prominent position to indicate that it was 18-carat, or a higher or lower standard?—Yes, we are allowed to do that with gold now. I offer to do it with our own chains. People come to me to buy an 18-carat gold chain; they do not care whether it is marked or not; we put 18 on our chains, and it answers all the purpose.

206. You are willing that persons should recover against you, and are you willing that persons should recover against you if they found that it was not of that standard?—Yes, and they would be able to recover; the county court would soon settle that question.

207. I have been told by dealers that there is a very considerable business done in wedding

*Sir Charles Russell—continued.*

rings in this way; that wedding rings are hall-marked in England, and are then sent out to some foreign dealer abroad, and the rebate is taken, and they are afterwards very easily smuggled back into England; has that come to your knowledge as a matter of fact?—Yes; I know that it can be done, and I feel sure that it is done; but not to any very large extent, because we can get at the figure of the gold exported, and therefore I do not think we need be very frightened that there is any very large amount of that sort of thing done. 56*l.* I see is all that was allowed as drawback upon gold in 1875; in some years the amount is larger; in 1870 the amount of drawback allowed on all articles was 273*l.* But some time ago there were a number of spoons and forks, upon which a drawback was allowed, and which were taken over to France and bronzed, and brought back as bronzed goods. They came right through, and nobody knew anything about them. I am told that occurred not very long ago, but you see it is easily done with wedding rings; you could bring in a pocket full.

208. I understand that whatever alteration was made, you still would allow every purchaser to have the right of having his article assayed and marked at some recognised Government place?—Yes, distinctly so.

*Mr. Courtney.*

209. At what stage does the necessity of submitting articles to be marked arise; is the manufacturer bound to any particular day?—In the rough, before the engraving, and before the general finishing and putting together.

210. As a matter of fact, when does the law prescribe the necessity; when does the penalty accrue for having neglected the law?—You may, if you like, finish the thing right off, but you must not expose it for sale without the hall-mark.

211. Is the manufacturer bound to take it down to the hall?—He is bound to take it to a hall, but not necessarily to any particular one.

212. Before he parts with it to the wholesale dealer?—Yes.

213. The manufacturer himself is bound to take it before it quits his hands as a finished article?—Yes, but that opens this question, that you can import plate from abroad and pay the duty when it comes, but you must not expose that plate for sale without having it previously hall-marked. That is a manifest injustice, perceptible to anyone. You, yourself, as a Member of Parliament, or a private gentleman, or even the Prince of Wales, who as lately as a few hours ago, as I see by the paper, bought a quantity of plate of Tiffany, of New York, in the Paris Exhibition; his Royal Highness can bring that plate in and take it home with him, and put it into his house, and no one say anything to him; and so could you; but if I should go to the Paris Exhibition and give Mr. Tiffany an order for a large quantity of plate (it is very artistic plate, and would most likely be far more saleable than the production of this country), I must not expose it for sale; see what a manifest injustice that is.

214. Are you quite certain that one could go over to Paris and buy plate, and bring it here without paying duty?—You can go to Paris and buy

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buy Tiffany's plate and bring it into this country by paying the duty.

215. If I go over to Paris and buy plate for my use, and import it here, must not I pay duty?—Yes, you must pay duty, but you need not have it hall-marked.

216. If it were for sale, as in your case, it would be necessary to have it hall-marked also?—Yes; it must pay duty when it is brought in, and then you must send it to the hall; remember, I am talking about artistic plate, which cannot be marked in its finished state, without damage to the article itself; for instance, what I read in the paper day by day of 'Tiffany's plate is, that it is most artistic work, and it would not stand any rubbing or any scraping whatever. In the case of the article of which I showed the Committee a photograph just now, I could not give that beautiful shell over to be scraped; I should not like to have it scraped, even upon the inside.

217. As a matter of fact, do all dealers in plate take it to be assayed?—No. Up to a little time ago it had fallen into disuse, and any amount of foreign plate was about without any hall-mark at all.

218. I suppose the law requires that that should be done whether it is new plate or second-hand plate?—Anything exposed for sale must be hall-marked.

219. Supposing I went into Hanway-street, and saw an old Dutch hanaper cup there, shall I find any hall-mark upon it?—No.

220. Would a dealer be liable to any penalty for selling it?—I apprehend so. There is no exception in favour of old Dutch plate in the Act of Parliament.

221. You never saw such a thing upon an old piece of plate in a silversmith's shop?—No. As the law at present stands, I believe there is some exemption on the ground of artistic plate, but I should like anyone to explain what is artistic plate.

222. Whose duty is it to put the law in motion?—I suppose originally, and I am under the impression that it is now, the duty of the Goldsmiths' Company to put law in motion.

223. Do the Goldsmiths' Company make any profit themselves?—I believe not much. On reading Mr. Prideaux's evidence in 1856, I see there is an amount of money, 4,500*l.* which had accrued, in 30 years, to the Goldsmiths' Company.

224. What is the organisation of the local halls; are they adventure companies like the Goldsmiths' Company?—They were then in a very unsatisfactory condition.

225. Take Exeter, for instance?—I should refer you to the evidence given before the Committee of 1856; you will find what a deplorable condition they were in; the assay master at Exeter kept a public-house, and the work was done in a very lax matter from all I can read.

226. They get about 2,000*l.* a year there, do they not?—Yes, but in a very lax manner; in several of the country halls the mode of conducting the halls is anything but what it ought to be. More especially was such the case at Chester.

227. But you do not know what the organisation is, who appoints the assay master?—I think at Exeter there are four wardens who are silversmiths of the town, who work round and round as wardens for the time being. They

Mr. Courtney—continued.

appoint an assayer to mark, and he does the work.

228. He is the recipient, in fact; he is a farmer of Government taxes to a certain extent?—Yes.

229. Could you tell us about the development of the American trade; have you any statistics of the American trade?—No; there is no law governing the trade in America. I know that the trades get on without laws; there is an enormous customs duty on imported plate.

230. Have you any statistics of the progress of the British silversmiths' trade between 1815 and 1855?—No, I have no statistics before 1852.

231. In 1855 you tell us that duty was paid upon about a million ounces; I suppose between 1815 and 1855 it had probably increased?—No, I should imagine that it had decreased, because so much more heavy plate was made in those olden days, but I have no statistics at present. There is a gentleman here who will give evidence, Mr. Read, who has considerable experience of the practice of the hall at Newcastle, and I think he will answer that question as far as Newcastle is concerned.

232. The present duty of 1*s.* 6*d.* was established in 1815, was it not?—Yes.

233. If, after that, the amount of plate made every year increased, we might infer that the subsequent decline was not so much owing to the duty as to the substitution of electro-plated goods?—That would be answered, I think, by a reference to all other trades, because nearly all other trades were taxed in 1815; if you recollect, the very light of Heaven was taxed, for there was a tax upon windows.

234. Supposing we found that between 1815 and say 1840, the silver plate made went on increasing every year, what would you say?—I should reason then that it was simply owing to the increase of the population; that is all; not that there was an increased demand. But that would apply to all other trades in the world which were taxed. Directly the taxes were taken off trades by Mr. Gladstone, up they went at once enormously. Take the timber trade. There has been a wonderful increase in that trade, and many other trades.

235. With reference to this rebate of one-sixth, is it supposed that that is the amount of metal which is lost in finishing the manufacture?—Yes.

236. So that in the end the amount of metal left in a piece of goods when completed is still taxed at the rate of 1*s.* 6*d.* an ounce?—Yes.

237. That is too large an allowance for simple goods?—Practically it is.

238. With regard to the inconvenience of the drawback, would not it be possible at Goldsmiths' Hall, when anything had been assayed that was about to be exported for it to be packed there, and the seals not to be broken until it got out of the kingdom?—That would be a good plan if it were practicable. But is not so.

239. The hall-mark is simply a certificate of the material out of which the thing is made?—Yes.

240. It has no respect to the place where it is made?—No.

241. So that a watch case, if it is taken and marked, simply means that it is certified to be of a certain



*Mr. Courtney*—continued.

a certain character of metal, whether it is made in Sheffield or in London, or in any other place in England?—Yes; that is all.

242. It carries no other guarantee?—It does not.

*Mr. Hamond*.

243. The hall-mark, you say, is simply a note of the material of which it is made; but I understand that it shows also the quality of the material?—It does.

244. And therefore it is another guarantee, is it not; it is not simply the material, but it is the quality of the material?—Yes; it shows you the quality of the material.

245. With regard to the silver service, of which you gave the Committee a description, would that gentleman, whose custom you lost, have paid the same amount for an old service as he would have done for a new one?—He bought the silver service at the price at which it was marked in the stock; he did not get any deduction.

246. Would that gentleman have paid the same price for a new silver service as he did for the old one?—Yes.

247. Then he lost nothing by buying it?—He lost nothing. But he regretted having bought "old stock."

248. You said that you would like the duty done away with, and the hall-stamping, but you would prefer the hall-stamping, if it is retained, to be done by a Government authority, say the Mint?—I should say that the Mint ought to be the central authority; that is, that the Mint should have power over the halls all over England where they happen to be established for the use of the trade.

249. Then you have two ideas: one, that those articles still should be stamped, but by the Government; and the other is, that they should simply be stamped by people voluntarily sending them to be stamped?—I have not made myself explicit, I am afraid. My desire would be that the hall-marking should be an absolutely voluntary proceeding on the part of the manufacturer; but that, if he voluntarily desires to have the mark, he should be able to get it at the nearest place to his manufactory, where there happened to be a marking establishment, and that he should buy the mark at a cost which it would be necessary to impose, in order to keep that particular hall self-supporting; and that all those halls should be under the Government Mint.

250. In fact, that they should be branches of the Mint?—Yes; they should all be obliged to send their diets, that is, their scrapings, up to the Mint in London.

251. Supposing that the plate was for the future stamped voluntarily by the manufacturer, what security do you propose to give to the public that they will have the silver or gold article that the manufacturer sells them?—I do not propose to give them anything beyond a trade mark, or the personal guarantee of the vendor.

252. Then you take away their security?—No, I do not. I give them the same thing. They can have the voluntary mark, if they want it, or they can have a trade mark, which will very probably become of quite as much importance as the hall-mark. They would have the

*Mr. Hamond*—continued.

same guarantee in the purchase of a silver teapot that they have now in the purchase of an object like a hundred guinea pianoforte.

253. You think that the trade in gold and silver plate is of such a character that, supposing 18 carats to be the standard for gold, and there is to be a proper standard for silver, you think that the manufacturer would try to make an article of a less standard than 18 carats, and mix a greater amount of alloy with the material?—I do not think anything of the kind; I think that he would make just what he pleased, and sell what he pleased.

254. What security have the public in his marking what he pleased or selling what he pleased, that the article which a person buys is 18 carats, and of the standard of silver?—There would be no more security than there now is in the purchase of a pianoforte, or a carriage, or anything else.

255. A person would have no security that he was buying silver plate of the standard quality, or on the other hand whether he got 18 carats gold?—No, he would have to use his own discretion in the choice of a tradesman.

256. Is it not the fact that the hall-mark is a guarantee to the customer that he is paying a price for what he knows he is getting value for?—It is so.

*Mr. Muntz*.

257. What security has anyone who buys a gold chain that the gold chain is 18 carats?—None at all in the case of an unhall-marked chain.

258. It is merely the responsibility, is it not, of the person who sells it?—Absolutely so.

*Mr. Hamond*.

259. Are not gold chains marked?—Not necessarily. If you wish, you can get them marked.

260. Then what governs the price that it costs, is the quantity of gold that there may be in the chain?—Just so.

261. If a customer comes in and wants a chain of 18 carats gold, you say "Here it is, 18 carats"; but there is not a stamp on it at all?—That may or may not be. I have both. I have 100 chains not hall-marked, and I have probably 150 chains marked.

262. In the case of those which are not marked, you say this one is 9 carats, and this 12, and this 18, and the customer takes your word that it is so?—Yes.

263. Do you think that you sell those things which are not stamped and hall-marked as readily as those which are?—Quite as much so.

264. Do you get as much for them?—I would say more, for this simple reason, that the hall-mark spoils the chain. By law it is necessary that every link should be marked, and therefore I find that people object to such a mark, and more frequently buy them without it.

265. Is every link bound to be marked?—Yes, if it be marked at all.

266. Will you tell me the distinctive hall-mark by which people really know that they are buying hall-stamped goods; is it the lion or the Crown, or does it vary in different cases?—An 18-carat chain bears the mark of "18," the Queen's head, the maker's name, the date mark, and the Crown.

267. Does all hall-marked gold and silver bear the

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the Crown, as a rule?—All hall-marked gold. On silver, "the lion."

268. And the lion also?—I really do not know what are the marks on gold, for I never look at the marks; but I see, on looking at this watch, there is the Crown, "18," the leopard's head, the date mark, and the maker's mark.

269. With regard to those watches, you are against foreigners being allowed to come in and have those cases stamped, and have a metal dome put on; you think that that is unjust to the English manufacturers, do you not?—I think it is unjust to the men in this country in two cases. It is unjust to the manufacturer that he should not be allowed to make watches with metal domes, and in the second place, that he should not make a watch with a case so slight as to be cheap.

270. Your opinion is, that if a foreigner be allowed to send his cases here to be stamped with the hall-mark, and to put a metal dome on them; that is unjust?—A foreigner is not allowed to do that; no one is allowed to have the hall-mark with a metal dome; it would not be worth a man's while, as the metal dome is a very small amount of the weight.

271. If I understand you, those foreign watches with metal domes, bear no hall-mark upon the case?—No English mark; there is "18 K." put on them; that is a Swiss mark. But there is another thing with regard to watches, the fact that they must be marked renders it necessary that their cases should be of a certain weight, and substance; but in the case of Geneva watches the backs are very slight; there is very little gold in them, which is not to be wondered at. This watch (*producing a watch*) is sold retail at 5*l.*; it is 18-carat gold; it goes beautifully, and it can be sold, retail, in this country for five sovereigns, with a fair profit; in fact, 1*l.* profit; therefore I maintain that we ought not to stop our English people from making watches of this kind. If the case be made so slight that if it be marked, the stamp will go right through; that is manifestly against the interests of our Clerkenwell watchmakers.

272. Your opinion is this; that if foreign watches come to this country without being sent to the hall to be stamped, in the same way as English watches are, English watches ought not to be compelled to be stamped?—Yes; my opinion is in favour of thorough free trade, and that we should have watches in as freely and as quickly as we can find customers for them.

Mr. Orr Ewing.

273. Do we import much silver plate?—No. The amount is very insignificant.

274. Do we not import any from America?—A very small quantity at present, but that will be very greatly altered; people are beginning to wake up and to find that they can get much better things made in Rome, and America, and Munich.

275. But not ordinary plate; spoons and forks?—There will be a very great manufacture of them before long.

276. As yet we have not imported a great deal?—Not very much; the whole trade of the country is a most limited one.

277. Notwithstanding that America manufactures to such an extent, she does not send us much?—No.

278. How do you account for the fact that

Mr. Orr Ewing—continued.

they are able to consume such an enormous quantity of silver plate in America more than we do in this country?—There are two answers to that question. First of all they export a great deal, although not to this country, because of the difficulty of getting the goods marked when they come in. Secondly, it is comparatively a new country.

279. Where is the difficulty in marking the goods as they come in?—Because they have to be scraped and assayed, and there is considerable difficulty with regard to that.

280. Supposing that you were sending in 100 dozen spoons, would they scrape every spoon?—I should say so.

281. And that would be injurious?—Yes, decidedly; but it is not so much in the case of spoons; it is a question more of artistic plate. For instance, the New York silversmiths are making beautiful imitations of the Japanese work; they are bringing on different colours, and mixing gold with silver, and bringing the plate up beautifully with leaves and flowers, &c.

282. Does the freedom from taxation in America enable them to do this more than we can do it in this country?—Yes, the effect of it is this, that it is got up more cheaply, and in the second place, there is a greater demand.

283. How are they got up more cheaply?—They are got up more cheaply for the simple reason that they have not to pay duty.

284. Then there is only the difference of the duty?—I do not know the difference between workmen's wages in America and workmen's wages here, but in all probability they work longer time there, *ergo*, they really do get their work up more cheaply.

285. Are your workmen under a strong trade union?—No, not that I am aware of.

286. Do they not work long time?—They have left off working the long hours that I did when I was in the workshop. We used to work 58 hours a week, and I believe they only work 50 or 52 now. I used to work 58 hours, and would go in for overtime afterwards.

287. What hours do they work in America?—They work longer hours; I cannot tell how many; I have not had experience to enable me to speak to that.

288. Should we not rather come to the conclusion that the wages are higher in America than they are in this country?—I have no experience.

289. Generally speaking, the wages of all artisans, from the greater expense of living, must be higher in America than here?—They get up certain work cheaper, as is shown distinctly by statistics that I read in the papers. In other trades they beat our manufacturers in respect to price.

290. To what countries do the Americans export?—In all parts of the Continent you find American silver plate being sold in the shops, I may say distinctly all over the Continent; I have bought it, and I know where it is to be had to any amount, in Berlin and Vienna especially.

291. Those, I presume, are all articles of virtu?—They are articles of luxury, beautifully formed spoons, and beautifully formed basins, and tea services, and so on.

292. Has the absence of that duty of 1*s.* 6*d.* upon those articles, which perhaps may be sold

at

Mr. Orr Ewing—continued.

at 20 s. an ounce, when elaborately got up as you describe, been the cause of that success?—Decidedly.

293. Would it make all that difference?—Yes; it is a very great difference; it comes in the case of spoons and forks to about 20 per cent.

294. You say that they do not export much, and that their work is certainly more elaborate and more expensive?—I said that they do export largely.

295. And you think it is because there is not this duty, that they are enabled to sell their goods all over the Continent?—They have not any hindrances to taking their goods to other places.

296. When they send goods to any of those countries, do they not pay a tax upon them?—Yes, they have to pay a tax for going into Vienna, but it is not very great.

297. The people in France pay, for instance, the same tax that we pay, do they not?—It is nothing like so much as it is here, and in many places abroad there is no tax at all.

298. You say that it is because they have no taxes in America that they are enabled to export silver into Europe?—I meant to say distinctly that because they have no taxes in America, they get on better, and make more artistic work, and there is a great demand abroad for that artistic work.

299. Therefore, their work is more artistic, and there is more demand for it than for English work?—Decidedly.

300. Then it is not the duty that makes the difference, because they are charged duty on going into those countries the same as in this country?—Yes. But not so great a duty; and there is no process of scraping, assaying, and spoiling their goods.

301. Then it is the skill more than the duty that is the cause?—Quite so.

302. You say that America has succeeded to the extent that it has done in the manufacture of silver articles; you have told this Committee of one man alone who makes as much silver plate as all this country together, and you told us that that was because of the duty which was placed upon English manufacture?—No, I meant to say distinctly this, that he has a very large manufactory, and he employs an enormous number of hands, and why? Because there is a great demand for his goods, and why? Because his goods are not taxed. Then a reason is, that he gets a greater demand for his work, and he improves the quality, as we should do, and everybody does, who has a large business; he keeps on improving the quality; then there comes a foreign demand for the work, and away go the goods in conformity with the demand; why do they not come here? Simply because dealers like myself cannot buy such goods and bring them over here and sell them without consulting the wardens of the Goldsmiths' Company, and that is a sufficient hindrance to me not to do it. I am not going to buy beautiful artistic plate abroad, and bring it over to have it all injured by Goldsmiths' Hall. I do not want to be worried with it, therefore it does not come. Take off the hindrances and the plate will come at once.

303. That is how it was done in America?—Yes.

0.117.

Mr. Orr Ewing—continued.

304. You say that in America, because there has been no tax, they have such a constant demand for silver articles in their own country that they are able to employ better and artistic men and material, which gives them the command of the foreign market?—That is exactly it; and I say more than that. I say that for English plate there is scarcely any demand abroad. On the Continent of Europe it is not held in any estimation at all, and there is very little, if any, bought in any part of the Continent. Where our plate goes to, as a rule (of course there are exceptions), is India and Australia. We supply Australia with tea-services; but we only exported 104,000 ounces last year; therefore, there is no foreign trade worth talking of in silver.

305. On those silver articles that you manufacture, and that you export, you get the duty back?—Yes.

306. Therefore, it is not the duty that affects you?—But the effect of the duty has been to narrow the trade down to the smallest possible dimensions. There are no improvements going on, no artistic plate being made worth talking about, and the result is that there is no great demand.

307. Do not you think it may be from the superior skill and artistic taste of the workmen who have devoted themselves to this particular branch of trade, as they have to many others, in which they surpass us, rather than from any extraneous advantage that they may have from the absence of duty upon silver?—I think they are a very much more highly educated people. That article, which I did myself the honour to send to the Committee, in the "Watchmaker's Journal," was written by Mr. Taylor, of the firm of Tiffany, of New York. You will find it is the writing of a most intelligent gentleman, absolutely a first-rate piece of composition, and I venture to assert that that is the result of having no duty upon his goods.

308. You stated that silver plate imported by an individual into this country, if it is not exposed for sale, does not require to be marked?—Precisely so.

309. But it pays duty, does it not?—Yes.

310. Supposing that a gentleman had bought a large quantity of silver plate which circumstances obliged him to sell, could he not sell it by auction?—That is the fact; constantly at Christie's, plate is put up for sale without having been marked. I, myself, telegraphed to the Goldsmiths' Company to inform them of that fact a little while ago, but I had no answer whatever. I am bound under my oath as a goldsmith to inform the wardens if there be any plate being sold without a mark. I went into Christie's and saw this plate, and I said to myself, "I am not allowed to sell this plate, why should Mr. Christie sell it?"

311. In America there is no mark put upon it either by the trade or by the Government?—No; manufacturers put their name or trade mark. They put "sterling silver" upon it, I find, on certain pieces in my possession.

312. Is there no guild in America?—No.

313. Then every man sells according to his own will?—Yes.

314. I suppose that English workmanship, especially as to watches and jewellery, is considered to be the finest in the world?—I think they

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they are considered by English watchmakers and English jewellers to be the finest in the world; but I should say decidedly not by foreigners.

315. In Geneva, if you show an article manufactured in London, will not people praise it as being something remarkably fine?—That may be; but my experience is very much the reverse. I have an experience now of nearly 25 years, and during that time we have sold English watches and Geneva watches, and French watches. My experience is that you have very little trouble with Geneva watches, and a very vast amount of trouble with English watches.

316. Do you think that that is likely to be the impression of Geneva manufacturers, when they do not get their watches marked in their own country, but bring them over here and get them marked with the London mark?—I have no doubt that scientifically speaking I should be right when I say that an English watchmaker is a very scientific man; but what I contend is this, that the Geneva watches which I sell are equally as good as time keepers.

317. Do you think that if the Geneva manufacturers of watches had the same feeling as you have as to the position that English-made watches bear in the estimation of customers, they would not mark their watches in their own country, rather than send them over to be marked here with the hall-mark of this country?—There is an impression in the public mind that there is no watch like an English watch.

318. When you sell a foreign-made watch with the British mark, do you tell the customer that it is a foreign-made watch?—No, I do not.

319. Do you, or do less honest men, lead him to believe that it is a London-made watch?—No; I should never do that in my house.

320. You have not spoken of the trade as being in a very highly honourable position; you have insinuated several things with regard to what might be done; do not you think that as a rule, when a mark is put on, I will call it a false mark, because it is stamping a foreign manufacture as a British manufacture, that that is done for a purpose that would be availed of by the person selling the watch, to represent to the customer that the watch is really an English-made watch?—I cannot answer that question.

321. Do not you think it is likely?—I think it is very possible that it could arise; and that is one great reason for doing away with marking.

322. Do not you think that it is a very good reason for doing away with the marking of foreign watches?—By all means, if you can make a law which shall be a remedy for it; but I give it you as a matter of professional experience, that you will not be able to make a law which will stop it.

323. Do not you think that it would be a very different thing, a nation by law permitting a fraud to be legalised, from an individual practising fraud upon his customers?—Decidedly.

324. In that way I think you must come to the conclusion that foreign-made watches ought not to receive the stamp of London makers?—If you can avoid it.

325. Then you are against the hall-mark?—Decidedly so.

326. Do you really think that a *bona fide* honest tradesman would benefit by the abolition

Mr. Orr Ewing—continued.

of the hall-mark?—I think he would benefit very considerably.

327. Do not you think that it would open the door to fraud?—No, it would promote improvement. It would have the effect of making a man free to do as he liked. He would then be able to advertise the quality of his goods, and show that they were better than anybody else's.

328. What do you mean by he?—The trade.

329. A trade mark means that he cannot do as he likes, but he must have a certain standard; but what you mean by doing what you like is, that he might have a much inferior quality of metal, and still represent it to be of a high standard; may not that be possible?—Of course.

330. Would you think it would be for the benefit of honest tradesmen that such a change should be made?—Most distinctly yes. I would give a man perfect freedom to do as he liked.

331. You say it is the same as the case of the purchase of a coach or a pianoforte, but how can you compare these things; every person can judge of a pianoforte by the sound it makes?—No, I beg your pardon; he would find it one of the most difficult things in the world to find out.

332. Would it not be more easy to detect what is a good coach, or what is a good pianoforte, than it is to analyse silver and gold?—No. It would be more difficult.

333. Do you think that a customer coming into a shop could tell you the quantity of alloy in the silver?—No; but for one shilling he can go to a professional assayer and get an exact answer to his question. With regard to a pianoforte a man can do very little, or with regard to a carriage, he could not get for a shilling a professional opinion of a second-hand carriage. It is very much easier for a man to find out the quality of a gold chain, or of a silver teapot, than it would be for him to find out the quality of a pianoforte.

334. No person going into your shop could make an assay of the silver or gold there?—He can get it done for a shilling.

335. You think he would go to that trouble in purchasing a watch or purchasing a silver spoon?—He could if he liked.

336. Is it probable that any person purchasing would do such a thing?—I have known many people do it.

337. A wholesale dealer would do it probably?—I have known private people do it. I will give you a case in point: A few days ago there were four saltspoons sold, and the customer had given them over to her butler or servant. Two of the saltspoons had been kept in a cupboard with the salt only; the others had been kept with the salt and an open picklejar. In a few days, the picklejar impregnated these silver-saltspoons to such an extent that they became in a terrible condition. The lady came to me and made a great fuss about it. I said, "This is marked; it has G. A. upon it, George Adams, the first maker in London." She said, "I do not care whose mark it is, it is bad silver; you must take them back." I then said, "It has the Goldsmiths' Hall-mark upon it. I will take back these saltspoons and give you some more." I took the four saltspoons back, and sent her four more. A few days afterwards she wrote and told me that I had not changed those saltspoons. I think it is a great point, because the result was that the

*Mr. Orr Ewing*—continued.

the saltspoons got assayed, and were proved to be good silver.

338. The fact was, that those spoons had the Hall-mark?—Yes, they had.

339. That shows that you had a very stupid customer; but supposing there had been no Hall-mark, what would you say?—I do not think she was a stupid customer. The lady thought she had got bad silver, and could not be persuaded otherwise.

*Sir Patrick O'Brien*.

340. As regards the English manufacturer it is the fact, is it not, of its being necessary for the English manufacturer to hall-mark his watches, which prevents his being able to sell watches as in the case which you pointed out with metal domes?—Yes.

341. So far as regards that, it is downright injury, is it not, to the British manufacturer?—Most decidedly.

342. In the case of a foreign watch introduced into this country, if it is marked with the hall-mark, I gather that that hall-mark is merely a testimony to the quality of the gold contained in that case; but is no indication of the nature of the works, or of the character of the watch that is sold?—It says nothing whatever as to the value of the works.

343. So far as placing the hall-mark upon a foreign watch is concerned, it in no way implies that when you are buying it, it is a watch of British manufacture?—I should say that it does imply that. There is no doubt about it. If you see the London mark there, you naturally think that it is a London-made thing.

344. It is not placed by Goldsmiths' Hall there as indicating a British manufactured watch, but merely as indicating gold of a certain number of carats?—That is so. But I quite agree with what an honourable Member just now said, that it does most distinctly suggest that it is a London-made thing.

345. Am I right in saying that at Geneva and at Besançon, there are watches made by the manufacturers there for British manufacturers whose names are placed upon the dial, and those foreign-made watches are sold in London as their watches?—Yes, that is the fact.

346. So far then as misleading the British public is concerned, the practice to which I advert is a very much stronger one than the fact of marking a foreign watch with the hall-mark?—Quite so.

347. You have been asked some questions as to the character of British manufacture and foreign manufacture in the trade, may I ask you is not Cressier's name of Besançon as much appreciated as any watch manufacturer in England?—I have every reason to believe quite as much so.

348. With regard to foreign plate, in America, where plate is more freely manufactured, and they are under no Government supervision, it does so happen that some of this artistic plate that you allude to may not come within the standard required to be marked by the Goldsmiths' Company in England?—That may be so.

349. Then under the existing law, assuming that you or any other tradesman who purchases this novelty for purposes of sale, complying with the regulations that are necessary, get it hall-marked, if it does not come within the standard, 0.117.

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although it may be a matter worth 400 l. or 500 l., that artistic work is broken up under the present system?—I believe so.

350. That would be the result of it?—Yes.

*Mr. Freshfield*.

351. You have stated your opinion very clearly and very forcibly, that you are opposed to compulsory hall-marking and duty-paying?—Yes, I am.

352. You think it objectionable on the grounds that you have stated?—Yes.

353. Do you represent the opinion of the trade generally on this point?—No, I should say decidedly not. I represent their interests, but they do not see with me.

354. Is it within your knowledge that a meeting was held at St. James's Hall, on 3rd April this year?—Yes.

355. Is it a fact that at that meeting four-fifths of the duty-paying firms were represented?—I should say that that is not a fact. My reason is this, that some members who are down in that list have told me that their names were down without their permission, and that they absolutely disagree with the propositions there and then brought before them.

356. Do you know that the chairman stated at that meeting, that it might be satisfactory to those present to know that the persons concurring in passing the resolution were the contributors of about four-fifths of all the duty received at Goldsmiths' Hall?—Yes.

357. Do you know that at that meeting, the first resolution, which was unanimously passed, was to the effect, "That considering the high estimation in which British plate is held in all countries, on account of its general excellence, and the guarantee of the quality of the silver given by the Government mark, it is most undesirable to interfere in any way with the present system of hall-marking"?—I am aware of that.

358. Do you know that the second resolution is to the effect, "That it is inexpedient to abolish or alter the present duties on gold and silver plate"?—I am aware of that. I have a copy of that book.

359. An amendment was proposed which I will not trouble you with, but the third resolution was to this effect, "That the attention of the Government be called to the importation of foreign plate, and that no such plate be passed in the future until assayed and found equal to the British standard"?—Yes, I am aware of that.

360. Do you know that the fourth resolution was this, "That all foreign plate be subject to the same regulations as British plate, but that it be stamped with the mark or marks entirely distinct from those used on British plate"?—Yes.

361. Those resolutions, I think, were carried unanimously?—Yes.

362. I think you stated that as to gold plate, the mark in use might even be, and really was in some cases, the source of deception and delusion, inasmuch as the general public, the uninformed public, would accept the last standard as representing the first?—Yes, that is so. The public have a notion that a hall-marked chain is a chain of the best quality.

363. There is only one standard in silver, is there?—There is only one practically in silver, but four in gold.

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364. And

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364. And the last, the nine carat, instead of representing the standard value, merely represents the brass covered with gold, that is to say, a nucleus of brass with certain gold in it?—Yes

Mr. Thomson Hankey.

365. With respect to the answers which you have just now given to the honourable Member for Dover as to the opinions of the London dealers in plate being entirely in favour, or of the majority of them being in favour of continuing the present system, do I understand you to entertain the opinion that that is dictated solely by a desire to maintain the sort of monopoly which they have now, which gives them the kind of protection by the additional price which the duty puts upon the articles?—Yes, most decidedly so.

366. I think you said that gold chains were, or might be, marked on every link; did I understand you to say that that is compulsory?—It is compulsory in this sense, that if marked at all, they must be marked on every link.

367. There are very few gold chains that I have ever seen that are marked on every link?—No, there are very many chains that could not be marked at all; they are of very fine work, and therefore cannot be marked.

368. Then there must be an immense number of the best quality of chains that have no marks upon them?—Yes, no marks at all.

369. Then it is not necessary for them to be marked?—No.

370. I wish to ask you a question relating to the power of taking out of a watch case the bit of gold that is marked; say that a watch case is marked, is it not possible to cut out that piece and to send it to some other country to have it inserted in a different quality of gold?—It is possible, but improbable that it would be done.

371. It would not be worth while, I presume?—I should think not.

372. If a gold chain is marked, you say it must be marked on every link if marked at all, but that would be perfectly impracticable, would it not, with such a thing as a lady's watch chain?—Yes; very thin fine work could not be marked.

373. Are not the exceptions to the necessity of hall-marking under the present Act of Parliament very numerous?—Yes.

Mr. Muntz.

374. When they were exempted, do you know the reason why they were exempted; was it not because it was perfectly impossible to do it?—No, it could not have been that, because it would have been perfectly practicable to hall-mark a bracelet; I expect that the difficulty arose that there were so many things being made by jewelers, that practically they forced the running, if I may so speak. So hall-marking fell into disuetude.

375. You have been asked with regard to the resolutions which those gentlemen who are said to sell four-fifths of the gold and silver in London?—Not sellers; manufacturers; it says four-fifths of the plate marked 'at Goldsmiths' Hall; of course that must refer to manufacturers.

376. Do not those who sell articles in gold and silver that are hall-marked, make a profit on the duty?—Undoubtedly they do on spoons and forks, and on all die work.

Mr. Muntz—continued.

377. Supposing that the law might be considered to have put a burden with regard to one man of 600 *l.*, and be paid on that a duty of 100 *l.*, would he not have to put a profit on that 100 *l.*?—Undoubtedly so.

378. Then that must interfere with his export trade in any case; would it not enhance the value of the goods?—It would. Of course he puts his profit on his gross cost.

379. The drawback is never recovered upon that, and if the drawback is given for exports, the drawback is merely on the 1 *s.* 6 *d.*, or 1 *s.* 3 *d.*, but not on the profit?—No; it is on the 1 *s.* 6 *d.*, and the 1 *s.* 6 *d.* is on the silver.

380. I think you yourself have a considerable sale of articles of *vertu*?—Yes.

381. Are not those frequently bought by foreigners for presents, and taken to foreign countries?—I am sorry to say that that is very rare.

382. But if that were the case, is it likely that a foreigner buying a 20 *l.* or 30 *l.* article of *vertu* would go through the ordeal of obtaining the drawback?—No; in many instances he will not be bothered with getting the drawback.

383. As a wholesale merchant, you would frequently have orders, would you not, for comparatively small amounts, such as 10 *l.*, 15 *l.*, or 20 *l.*?—Yes.

384. Would it be worth your while to go through the ordeal of comparing every separate package with the bill of lading, so as to get the drawback?—No; it cost me the other day 23 *s.* to get back 19 *s.* 7 *d.*

385. So that virtually the drawback is a farce in many cases?—Yes.

386. And the expense of recovering the drawback is more than the actual amount?—Quite so, in the case of small parcels.

387. What do you consider that the present duty amounts to as a per-centage upon spoons and forks?—Twenty per cent.

388. On what you call artistic articles, what is it?—It varies from 12½ per cent. down to, say 5 per cent.

389. Presuming that you cannot obtain the drawback on any articles upon which you paid 12½ or 20 per cent. duty, the English manufacturer is under that disadvantage in competition with the foreign manufacturer, is he not?—Yes; in the case of small articles it would be so.

390. So that an American manufacturer exporting to Australia, or to India, or any other of our colonies, would have the advantage of this difference of duty?—Yes, and a very great advantage it would be in the case of small parcels.

391. Is it not a fact that there are a very large number of small quantities exported?—Yes.

392. In articles of gold and silver it is only a small quantity that is exported?—Yes.

393. With regard to the amount which you said the revenue received last year for duty, did the amount which you mentioned make allowances for the money repaid in drawbacks?—No; it is the total amount of duty charged, *ergo*, the total amount of business done. We can tell precisely how much drawback has been allowed; it is a very paltry amount, indeed; not more than 9,000 *l.* a year.

394. You alluded to watches as being so much cheaper in Switzerland; I presume it is not the gold



Mr. *Muntz*—continued.

gold and silver that are cheaper?—No; they use more machinery there.

395-7. Do they do that in the works?—Yes. The works are got up by machinery. An ordinary Geneva watch is very cheaply constructed in Geneva.

398. I think you said that you have no authority to speak as to the increase or the decrease in the manufacture of gold and silver articles for export?—I can give you the exact figures. During the last 23 years the export of silver plate has decreased by 50,000 ounces per annum.

399. Do you know what the expense of hall-marking is?—I could furnish the Committee with a list of the charges; they are very trifling.

400. And you do not object to them?—No; I think they might be very much larger.

401. You do not object to hall-marking, provided it is permissive?—No; let it be voluntary, and let it be charged for at a price which would be remunerative to the office where the mark is obtained.

402. If I buy anything made of gold or silver, I should have the option of taking it to be marked; or I might say that it is not a really valuable article?—Yes, you might say, "I will not have this unless it is marked," and I should get it marked.

403. You would permit every manufacturer, if he preferred it, to have the articles hall-marked, or not?—Yes.

404. So that the value of an article depends upon the respectability of the person from whom you buy it?—Quite so.

405. If I buy a gold chain from you or anybody else, I look to your responsibility for the value of my gold chain; or if I buy diamonds, I look to other people for the value of the diamonds that I buy of them?—Yes.

406. I should go, for instance, to a man like Stour and Mortimer, upon whom I could place implicit reliance?—Yes.

407. Is not that the case with all articles manufactured in England?—Yes, it is the way that people buy everything except silver plate.

408. And you look to the man from whom you have it, just as you look to a bill of exchange, and depend upon it?—Quite so.

409. To sum up the whole, if I understand you correctly, you consider that your trade is seriously injured by the annoyances and inconveniences arising from the hall-marking?—Yes.

410. And that all that would be done away with and remedied by making hall-marking permissive instead of compulsory?—That is so.

Mr. *Thomson Hankey*.

411. I think I understood you to say that you thought it was absurd to require an assay of a watch case when there is no assay required of the works, which are of by far the greatest utility?—Yes, that is my opinion; the value of a watch consists in the works, no doubt.

Mr. *Bates*.

412. You said that you thought the duty on manufactured silver ought to be removed?—Yes.

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Mr. *Bates*—continued.

413. Have you a large stock?—A very fair one.

414. What do you say should be done in a case like that?—I hope that the Government will give us compensation.

415. What do you say as to private individuals with a large stock of silver?—I think that their interest must not be regarded.

416. That is something very like a watch again?—It is exactly the same as all other trades.

417. You talk about these foreign watches, and you have got a watch which you say is a very good one; by whom is it made?—I cannot tell you; it is made abroad.

418. Is there no name to it?—No; I bought it of a very respectable man in this country, but I do not know the name of the maker.

419. Is the name on the works inside?—No.

420. I suppose you are aware that those foreign watches are very often marked as having been made in London, and elsewhere?—They are principally so, I think.

421. Although they are not manufactured in England?—This watch bears my name on the works.

422. You did not make those works?—No; it is the ordinary course of things to do so.

423. What do you call that?—It is done by everybody.

424. If you give it its proper name, what would it be. You say that the watch is a watch made in London, whereas you know that it was not made in London. What name would you give to that; in fact there is only one name that you can give to it?—All I can say is that there is a vast quantity of that thing done.

425. There is only one word, and it is "fraud," is it not?—I should not say so; I do not think it can be called a fraud. It is a custom of the trade from time immemorial for dealers and shopkeepers to put their names on to watches and sell them; it is looked upon as a guarantee that the watch is good.

426. Supposing that a gun was made in Birmingham, and was marked with the name of Purdey or Grant, what would you call that?—I am not in the gun trade, and I do not know what their ordinary practice of business is.

427. Or supposing that you had a carriage made in London by anybody, and it had got Silk's or Laurie's name on it, what would you call that?—That is a trade mark, and it would come under the trade mark law. That is just what I am asking for; that is precisely what I want in my trade.

428. It is precisely the same as in the case of a watch, is it not?—Supposing Silk were a retail seller of carriages, which very likely he is for aught I know, and supposing he has a private workman, and that man puts "Silk & Sons" on the wheels, that would be doing as we do. We do not profess to make the watches, but we profess to sell them. So that supposing a silversmith (as in fact everybody in London who sells a watch, any recognised trader, does) puts his name on a watch, that does not say that he made the watch. For instance, I might mention first-rate names in the watch trade who would have their names (say Dent, or Arnold, or Frodsham) on watches which they did

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did not absolutely make in their own factory; but they would put their names upon the watches. I do not suppose, for instance, that McCabe, or any of those men, make all that they sell, but I am sure that their name is on all that they sell; and I do not think that you can say that that is in any way a fraud. At all events it never struck any of us that it was a fraud.

429. You say that you would do away with the hall-marking; is not the hall mark a very great security to the public at large?—I do not see why it should be.

430. Supposing that you see a piece of silver with the hall-mark upon it, you know, do you not, that it is of the standard quality?—No; sometimes I know that it is not. Supposing, as you say, that it had the hall-mark, and supposing that it is a transferred hall-mark, it would be no guarantee.

431. Then that is a fraud to begin with?—Yes.

432. But I am now talking of a *bonâ fide* article that comes out of Goldsmiths' Hall marked, you know that it is standard silver, do you not?—Yes.

433. Therefore, if the security of that mark is taken away, the public then would have to trust to the man who made it?—No doubt.

434. Then there would be no security to the public if, as you say, a man very often sells things which he does not make?—We retailers all sell what we do not make; we make nothing.

435. Then there would be no security to the public?—My first answer is, No, there would be no security; but then I say, they do not want any.

436. You talked about having to go down to Southampton in order to get the drawback upon some silver that you were exporting to India, could not you have done that here?—We could; but it had to go by a certain ship, and I could not have done it in London. It was given over to Wheatley's, and taken down to the port.

437. You had only to go to Leadenhall-street and deliver it to the steam-ship company?—But supposing that a man is going to leave by another ship?

438. You are exporting it, are you not?—Yes; but supposing it is to go with a person who is going out in a particular steamer.

439. Do not you see that, in order for it to be sent out by that steamer, you had only to take it down to the Custom House, and seal it up, and send it out to India?—Only a little time ago we were obliged to send down to Southampton; supposing you wanted to catch a steamer at Southampton, there is a delay occasioned.

440. You might keep it until the next month, might you not?—No, not if the customer desired to take the box with him.

441. If you examine it in London, that puts an end to its having to go to India, and coming back broken?—That is not the way we do it. We get the articles packed up, as I tell you, and we hand it over to the agent, and he sends it off first to the ship. In one instance, I know, we had to send down to Southampton. Besides, I complain of having to send to Leadenhall-street. I do not want to be obliged to send to Leadenhall-street, and my men away from my business.

442. That would be better than sending down

Mr. Bates—continued.

to Southampton, would it not?—Yes; but I would rather have no sending at all. I want perfect freedom.

443. Is the Custom House very far from your place?—It is some distance.

444. Could you not take it to the Custom House yourself?—It would take me a whole morning. No other tradesman has to waste his time so unprofitably.

445. Would not that be better than sending it to India, and having it come back broken?—But I maintain that in some instances it is absolutely necessary to send down to Southampton, or else Wheatley's would not send down to Southampton.

446. I cannot agree with you there, unless it is to go by one identical steamer, and therefore it is the fault of the silversmith that he did not send it down in time?—But supposing that you kept me back a month, by reason of the examination, I would ask whether that is not taxation.

447. You put to the Committee the damage to the plate, and the expense of breaking; I think the Committee should understand that any silver plate which you want to export, you can either take to the Custom House, and place it in the care of one of the gentlemen there, or you can send it to the steamship office in Leadenhall-street, and you can have your own men to pack it again after it has been examined for drawback?—Perhaps I might be allowed to ask how about plate made in Bristol: supposing that that is sent out to India by the Peninsular and Oriental Company, how is that to be done.

448. In the same way; I suppose the Bristol Custom House would do the same thing?—Supposing that he did so, or supposing he were a manufacturer in Bedford, he would have to send it all the way up to London to undergo this process.

449. I may say that the thing is done?—It is a very considerable point, and I think it is a very important question.

450. Have you ever applied in London for drawback, and been paid it?—Certainly.

451. Then why should you go down to Southampton?—Because, on some particular occasion, we were ordered to go down to Southampton.

452. Then it is not usual or absolutely necessary?—It is absolutely necessary if a customer order us to do so.

453. You showed us a photograph of some plate, and I think, from what you stated, you led the Committee to infer that if you sent it to be hall-marked it would be defaced?—It would be scraped.

454. Are you aware that there is an Act of Parliament exempting artistic work from scraping?—I am perfectly aware of that; but then the question is, what is artistic work.

455. I suppose any fine or very handsome light work would be looked upon as artistic work; you are aware that there is an exemption in favour of that?—I am aware that there is an exemption.

456. Take the photo. of the plate that you showed us, do you mean to tell the Committee that Goldsmiths' Hall would scrape it in such a manner as to deface it?—I should think that it would be injured if it was scraped.

457. Would it not be scraped on the inside is it not always done so?—I should say not; On.

Mr. Bates—continued.

On the contrary, I should say that it is not the business of the Goldsmiths' Company to scrape any artistic work on the inside; they will scrape it where they like.

458. Do you think that they would do such a thing as that?—I should say they would; they would want to take that piece of plate entirely to pieces, unscrew every portion, and detach any part of it. Foreign plate is not made in the same way as our plate; that is to say, the base is very often covered right in, and of course they would have to cut it away; it is not prepared for being hall-marked. In our country, hall-marking being an institution, the plate is sent down to the hall prepared for marking.

459. Do you mean the Committee to believe that a piece of plate like that of which you have produced a drawing, would be disfigured in the hall-marking?—I should say it would be very much injured. There is another reason why I should not like it, because supposing it were injured, I might happen to have to hand it over to an English manufacturer to be repaired, and there is no telling whether he would not copy it. It is my interest to keep it quiet in my own place; I do not want to give out all my best patterns that I have got from abroad to the trade of this country.

460. You say that you have no objection to having silver plate hall-marked voluntarily by anybody who liked; who would pay the expense of keeping up those halls?—The parties who used the halls for marking.

461. If it is only to be done voluntarily, do you not think they would only get a very trifling amount of business?—That shows that I am perfectly right in the value that I attach to hall-marking.

462. I am not talking of hall-marking being done away with, but if it were a voluntary proceeding?—Then I say that if it was a voluntary proceeding, there would eventually be scarcely anything of it.

463. Who would keep up those establishments?—They should be kept up by the price that is given for the marking; they should be self-supporting institutions.

464. You have stated that the Government receive about 86,000 *l.* a year in duty; have you any information as to the amount of drawback?—The amount of drawback allowed in 1875 was 9,000 *l.*; in 1876, I have not the figures; in 1874, it was 8,018 *l.*

465. So that the Government receive, on the average, about 80,000 *l.* a year profit?—Quite so; on silver 9,021 *l.*, and on gold 56 *l.*, was the drawback allowed for 1875.

466. Do you know anything of what the standard of American silver is?—I have no certain knowledge, but I have knowledge of this, that Tiffany's plate, as he distinctly says, is better than our English standard; he allows his silver to be a little better.

467. Have you any knowledge of what Italian plate is?—Italian plate is better. We had a centre piece, and, by assay, we found it was six grains better than our standard.

Chairman.

468. Is the French plate better than our standard?—No; there are two standards in France, as appears in Mr. Garrard's evidence in the Blue Book of 1856.

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469. If hall-marking were done away with, this French plate, as it is called, could be brought into England and sold as silver plate, although perhaps it is not two-thirds silver, and that would have the effect of doing away with the hall-marking, would it not?—No, I should say certainly not; it would not affect any house like my own, or the house of any respectable man.

470. Not if foreign silver could be brought here and sold as silver?—If you did sell it as standard silver.

471. It would be sold as silver, although it was not perhaps approaching silver?—It would not be marked. He would only have to sell it upon his own reputation.

472. If hall-marking were done away with, and no one would get it marked except voluntarily, a man with French silver to sell would not try to get it stamped?—If it were base silver he would not, but he would sell his goods at his own risk. If he sold a foreign thing which was bad silver, he would forfeit his reputation very rapidly.

Mr. Onslow.

473. Are the views which you have expressed to the Committee shared in by a large number throughout the country?—Yes, by a considerable number of people throughout the country; not the broad view of the whole question; I think there is a considerable number in the country who would be glad to give evidence before this Committee, and endeavour to get the duty taken off.

474. Are they a large number of manufacturers, or only retail dealers?—Some manufacturers especially. Some dealers.

475. When you say the country, do you mean England, Ireland, and Scotland generally, or only London?—All over the country, Newcastle, Chester, Liverpool, Manchester, Dublin, and Sheffield especially.

476. You are a large importer of Geneva watches, are you not?—Yes, I am a fairly large seller; I do not import them myself.

477. On each watch do you put your name?—On Geneva watches we generally put "examined by;" that means to say we guarantee to our customers that it is a good article.

478. Each watch that you import from Geneva is examined by some competent man in your employ?—Yes.

479. Then your name on it is a guarantee of the quality of its works?—Yes.

480. And also, I may take it, that it is somewhat of an advertisement?—Yes.

481. Supposing there was no hall-mark, and only the private trade mark as you suggest on the article; take the case of a retail dealer in London, say Jones; he buys of Smith & Co., large Sheffield manufacturers; supposing a private individual come into Jones' shop and said, "Now I want to buy a gold chain," and one is shown to him, but there is no hall-mark upon it; that person might perhaps look for the hall-mark, but Jones would say, "I can guarantee this, because it has got Smith & Co.'s private mark on it;" do you think that the private mark of a firm totally unknown to the individual purchaser, as that would be, would be as good a guarantee as if it had the hall-mark upon it?—It would be quite satisfactory, in my opinion. There is a case in the trade

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trade where a manufacturer puts the representation of a Bee on his work. It is known throughout the trade that he uses nothing but 18-carat gold, and it is found to be perfectly satisfactory.

482. Is that known to the public?—If anybody said anything to us about it, we should say, "It is 18-carat gold; it is the trade-mark of a man who makes nothing but 18-carat gold;" we have never found anybody ask us to put the hall-mark upon his work.

483. Your word would be a satisfactory guarantee that such was the case?—Yes, perfectly so.

484. It has been asserted in that pamphlet read by the honourable Member for Dover that there is a high value attached to manufactured British articles abroad; is that your opinion?—No, certainly not. My firm impression is, that if there were any very high estimation of the English article there would be some purchases made of it. I think that high estimation is very poor food. I like high estimation if a man buys my goods; then I am quite content with his high estimation.

485. Still I suppose there is a large sale of English goods abroad?—Certainly not; there is hardly any sale.

486. Then you do not agree in that assertion?—No, not at all; it is utter nonsense, because I maintain that there is very little trade with the Continent, in fact, scarcely any. Of course we supply Australians with tea sets, and things of that sort.

487. Take the case of India, is it a fact that a large quantity of manufactured goods goes out to India?—Not very large. The whole amount exported is about 100,000 ounces a year, and taking it at 10*s.* an ounce all round, that is 50,000*l.* a year; 50,000*l.* is all that we do with the entire world; Australia must take a very considerable amount. You may take India; there is a very considerable amount, probably, goes out there in one way or another; but if you were to take Europe, there is scarcely anything, I maintain, goes to France, very little to Germany or Italy, very little to Austria, very little to Russia, just enough to give us, I may say, an appetite for the sale of our goods, that is all.

488. What is sold in those countries that you have been talking of is not principally British manufacture, but foreign manufacture?—Yes, foreign chiefly.

489. Are you aware of any articles of British manufacture which have gone to the Paris Exhibition?—I believe very little silver. I have not been to the Paris Exhibition, but I am told that there is scarcely any silver plate of English manufacture there.

490. Therefore you say you do not know in what estimation it is held, and whether it will fairly compete with the manufacture of other countries?—We must wait for the jury to decide that; I have had a fair experience of all the other exhibitions, so that I can talk about them with regard to the same subject.

491. With regard to this gentleman who came to you about this tea service which he bought, and which was somewhat antiquated, I presume he bought it from the price which was marked on the articles in your stock?—Yes.

492. You say that you lost a customer owing to that?—The gentleman considered that I

Mr. Onslow—continued.

ought to have told him that I had it all those years in stock.

493. Since he has told you I suppose you have not reduced the price of the articles you still have in hand of the same kind?—To tell the truth, I have, because I found them very unsaleable; but they are unsaleable because they are very ugly, and in very bad taste, very heavy clod-hopping things that we can do nothing with at all. I should be very glad to sell them at 7*s.* 6*d.* per ounce all round, and I daresay they cost me double.

494. As to Tiffany's plate, which you told us about, supposing a great deal of it was imported into England, and I bought some, and I wanted to sell it at any time, and there was no hall-mark upon it, do you think I should get as much for it without the mark as if it had the mark?—Yes, because it would have artistic merit, in the same way as a brass chandelier of Hart, Son & Peard; no doubt you would get a very large sum for it, or for a lecturn of Hart, Son & Peard.

Mr. Whitwell.

495. The Committee has two subjects before it; one is as to hall-marking watch-cases, and the other is the general question of hall-marking. I think, from what I have heard, you have come to the conclusion that the hall-marking of gold watch-cases is at best a doubtful thing, speaking of it as a matter of policy so far as the trade is concerned, and looking to the general interests of the trade?—I do not think it is a matter of doubt at all.

496. You think it is an advantage?—No, I think that hall-marking is no advantage to the trade whatever.

497. And therefore you have no objection to its being prohibited, so far as the Report of this Committee could recommend with regard to Swiss work?—I should have no objection to this Committee recommending that watches of foreign makers should not be hall-marked; but I go so far as to say that I do not think, even if you made such a law, it would work, unless you prohibited hall-marking altogether. I believe that the goods will come in. For instance, the honourable Member for Coventry has already prepared a Bill, and it is before us on the table; but I do not believe that that Bill will remedy it.

498. Whatever Act of Parliament was passed, by some means or other you think that foreign works would be put in English-marked cases?—Yes; I think that wherever you make laws of that kind, smuggling will be the result.

499. You would therefore say, that so far as the work of this Committee is concerned, it may fairly report that the proposal which the honourable Chairman recommends may be carried out?—That is putting me in the light of advising the Committee. My opinion would be different; it is not my opinion.

500. With regard to hall-marking generally, you object to hall-marking, because it is an interference with trade?—Yes.

501. And an interference with the manufacture of gold and silver articles?—Yes.

502. In the process of manufacture, has the work to be sent to the hall in a partially unfinished state?—Practically, in an unfinished state.

503. You say that if this system were to be adopted

Mr. Whitwell—continued.

adopted in any other manufacture whilst it was in process, the manufacturers would generally object to it?—Most decidedly.

504. And that if the country wants to collect duty and derive revenue from silver and gold plate, it should adopt another mode of doing it?—It certainly should adopt another mode of doing it.

505. And that no mode of collecting such duty could be more inconvenient to the trade than the present one?—I should say so.

506. Then if it is not advisable for the purpose of duty, is it advisable for the purpose of identification to show who has been the maker?—No.

507. Is it not an advantage to the public to know who has been the maker?—No, not the least, excepting by means of a trade mark, which would be of the same effect.

508. You think that could be easily well accomplished by having the maker's name put upon it, as it would be put upon any other article?—Yes.

509. On the basis of the trade marks' law?—Precisely so.

510. Now we come to the authentication of the quality; is it not important to have so capable and efficient a board as that of the Goldsmiths' Company to indicate what the quality of the gold is?—Yes, if it is voluntary, but not if it is compulsory.

511. It would be a complete revulsion in all our history of dealing with gold and silver, if we were to withdraw from that system, would it not?—I think not; if we were to withdraw from the present system, the public would for some time hence look for a mark. The manufacturers would generally adopt a mark which would be quite as effectual.

512. Would it not be a revulsion, seeing that Act of Parliament after Act of Parliament has been passed in order to enforce compulsory marking?—I think that in the present Queen's reign, such an Act of Parliament is altogether an anachronism.

513. It would overturn the former statutes, but do you think that that would be a desirable reform?—Precisely so; I think the time has come when we should do away with such legislation.

514. What is the difference in the quality between the best of Elkington's plated articles, and the worst of any other maker, say the worst of the Sheffield or the Birmingham makes?—There is a very great difference. A few weeks ago we had two spoons assayed, and there were about 3 pennyweights 16 grains of silver in one case, but in the other there were only 18 grains. In the first case it would be worth about one shilling, and in the second case it would be worth about twopence.

515. Then in the one case, the silver sold in the spoon would be worth twopence, and in the other case it would be worth one shilling?—One shilling or fifteen-pence.

516. Is there any differential mark showing the value of plated articles?—No; I have already told the Committee that the worse the plate is the more nearly does the mark correspond with the silver mark.

517. So that judging by analogy, as the public is left to decide the quality of the twopennyworth of silver, as against 15-pennyworth of 0.117.

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silver, you think they may be safely left to decide between the quality of silver in the solid qualities?—I do.

518. Is there no fear of the trade being injured by the withdrawal of the hall-mark, inasmuch as it would take a long time, would it not, before persons would be willing to buy an article with no hall-mark upon it?—I advocate your allowing the mark for some years to come to be voluntary. I do not advocate the withdrawal, at once, of all power of getting it marked.

519. The honourable Member for Plymouth asked you a question which was a very opposite question; how would you keep up hall-marking in the several places, such as the present hall-marking establishments which now exist in England, Scotland, and Ireland, if it was a voluntary establishment, and persons were not compelled to send their plate to be marked?—I apprehend that they would send their plate to be marked for some time.

520. Have you any idea what the cost of the establishments in Edinburgh and Dublin is?—I have seen the Report of the Committee of 1856, and it seems that at that time it was 800 *l.* a year.

521. Would not it be a heavy tax upon the trade to have to keep up a voluntary establishment, gradually decreasing in amount, unless the Government kept it up?—Then that particular hall would get shut up.

522. Then all the plate that was marked in the kingdom would eventually have to come up to a central hall-marking establishment?—The halls would die out; the London Hall would die out last, if it ever did die out.

523. The honourable Member for Plymouth asked you whether you are thoroughly aware of the quality of American silver as sold in the different shops abroad?—I am perfectly sure that it is as good as ours, or at least the greater portion of it. There is no law in America that a man may not work silver worth 2 *s.* 6 *d.* an ounce, *ergo*, it is very probable that he does. But I believe the plate which has been brought over here and shown to me, and which I have seen abroad, to be as good as ours.

524. You have had sufficient opportunities of judging of the quality; you are a gentleman engaged in the trade, and you would be willing to give it as your opinion that in general the American plate sold abroad is equal in quality with the standard plate sold in this country?—Yes; very little foreign manufactured work would be brought into this country without being shown to me, because I should be looked upon as likely to sell it.

525. Is much American plate of that character sold in England?—No, very little comes in.

526. If it was of the right quality it might be stamped?—Yes, but it would be injured by being stamped.

527. Necessarily so?—It is of a very peculiar artistic character. The great charm of the American plate which is being made now is, that it is very much copying Japanese work, by which they put a very beautiful surface on to their goods. They mix other metals up with the silver, and they get a beautiful colouring on to their work, which is exceedingly tasteful; I am sure it would be very much injured by being stamped at the hall.

528. Then it is a sort of compound manufacture,

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facture, and not silver only?—Some portion of it is; that is the result of free trade; it is beautiful work.

529. May not the prevalence of it abroad be the result of its being a speciality?—It is the result of the intelligence, enterprise, and energy that has made it.

530. But you are not bound, are you, to get an article stamped when it is made partly of silver and partly of other metals?—I believe I am; I have no doubt about it; we are not able to sell that American plate without its being marked.

Mr. *Campbell-Bannerman*.

531. With reference to the expense of keeping up those marking establishments, if the compulsory hall-mark was abolished, upon whom do you understand the expense of maintaining the present establishment falls?—Upon manufacturers. At present the halls in England get one per cent. for collecting the duty.

532. That is paid by the tax-payer?—Yes, they likewise get the small charges for marking, and I object to any tax-payer paying anything for my advantage more than for anybody else.

533. Which charges are no doubt added by the seller to the price which he puts upon his article?—Just so. There is a gentleman who will give evidence, Mr. Read, of Newcastle, who will be able to tell you that exactly.

534. In future, if the cost of maintaining those establishments was heavy, and yet if the public asked for the stamp of those establishments, it would be open to them to send their goods to be stamped, and to the establishment to charge the public for that which they demand; that is to say, supposing that a silversmith found that he could sell his goods better by sending them to one of those establishments voluntarily, if, owing to the small number of people who used the establishment, he had to pay a larger price than he does at present for having it done, he would only have to charge a little more to the customer for the goods, so as to recoup himself?—Yes; the effect would be this, that in order to make the hall self-supporting, they would have to increase the price of marking.

535. And if people chose to pay that small extra price, in order to have that security which the hall-mark afforded, they would be able to do so?—Quite so.

536. And if other people chose to run the risk, and trust to the respectability of the seller,

Mr. *Campbell-Bannerman*—continued.

they might get goods without paying the extra price?—Exactly so.

*Chairman.*

537. As to the competition between electro-plated and silver goods, take the very best table-spoon which Elkington makes, which is plated ware, what would you consider the difference of value between that and an ordinary silver table-spoon of the same size and appearance?—One-fifth; it would be 3*l.* a dozen against 15*l.* a dozen; but I should say that I am not familiar with Elkington's prices.

538. One is about five times as much as the other?—Probably not quite so much; perhaps four times.

539. Then the removal of the 20 per cent. duty, which you say is imposed on silver spoons, would not very much get rid of competition between electro-plate and silver?—A man would get 15 table-spoons instead of 12, or he would get the difference of price between 12 and 15 to buy something else with; he would probably get a sugar basin, with a pair of sugar-tongs, instead of a sugar-basin without sugar-tongs.

540. The question is, whether the diminution in the trade which is established, as a fact, results from the duty or from the competition of electro-plate, and then would come this question, whether the removing of the duty would really put electro-plate very much behind what it is now, in comparison with silver?—No, it would not do that.

541. It would merely free the silver?—It would bring down the price of silver plate considerably, but the silver plate would still be, of course, considerably more expensive than the best electro.

542. So that it would not at all put them abreast of one another?—No, but it would free the manufacturer of silver.

543. And give room for the play of ingenuity, and so forth?—Yes.

544. You spoke about the stamp of watches being examined by your own house; is that examination conducted abroad or in England?—In London. We buy, say two dozen Geneva watches; they are bought of an agent, and we look them through carefully to see that they keep good time; we wind them all up and see that they keep fair time, and having done that, and made our minds up that they are good watches, we put "Examined by Watherston & Son" upon them. That is done in London, and that is done by nearly all the men in my craft.

*Monday, 24th June 1878.*

## MEMBERS PRESENT:

Mr. Bates.  
Colonel Blackburne.  
Mr. Campbell-Bannerman.  
Mr. Courtney.  
Mr. Orr Ewing.  
Mr. Freshfield.  
Mr. Goschen.  
Mr. Hamond.

Mr. Thomson Hankey.  
Sir Henry Jackson.  
Sir Patrick O'Brien.  
Mr. Onslow.  
Mr. Puleston.  
Sir Charles Russell.  
Mr. Talbot.  
Mr. Torr.

SIR HENRY M. JACKSON, BART., IN THE CHAIR.

Mr. FREDERICK B. GARNETT, called in; and Examined.

*Chairman.*

545. WHAT are your functions at the Inland Revenue Office?—I am Secretary to the Board of Inland Revenue.

546. Have you made yourself acquainted with the law relating to the Hall-marking of gold and silver, and to the collection of duty upon it?—Yes.

547. Are you able to tell the Committee anything upon the history of those duties; how long they have been collected, or anything about them?—The duties had their origin about 150 years ago, in the year 1720, under the Act 6 Geo. 1, c. 11, when there was a duty imposed of 6*d.* per ounce on silver in Great Britain, and that was extended to Ireland on the 25th of March 1730; those duties were collected by the Excise.

548. Was there any duty imposed on gold?—Yes, on gold and silver also in Ireland.

549. What were the reasons that the duty was imposed; was it purely fiscal, or was there any other reason?—I am not aware that any reason was attributed; I apprehend that it was purely fiscal.

550. How long did that rate continue?—The same duties were continued in Great Britain until 1758, when they were repealed, and a license duty was substituted by the Act 31 Geo. 2, c. 32, in consequence of the provisions for ascertaining and collecting the plate duty having been found ineffectual.

551. May I ask you, are those the licenses which are still payable?—There has been a subsequent modification of the amount of those licenses.

552. When was the duty re-imposed?—The duty was re-imposed in Great Britain by the Act 24 Geo. 3, c. 53, when a duty was imposed on gold of 8*s.* an ounce, and on silver of 6*d.* an ounce; this was in 1784.

553. Were the licenses remitted, or were they continued together with the duty?—The licenses were continued notwithstanding.

554. When was the duty raised to its present amount?—By the Act 55 Geo. 3, c. 185, in 1815.

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*Chairman—continued.*

555. Have they continued at that amount ever since?—Yes, without alteration since in Great Britain; the duties in Ireland were assimilated in 1842, by Act of 5 & 6 Vict. c. 82.

556. When was the present amount of license duty determined?—There was an increase in the license duty for Great Britain in 1815, and there was a subsequent reduction in 1826.

557. May we take it that the present license has been levied since 1826?—I believe that is the case.

558. I understand that the statutes now in force relating to the duties and to the Hall-marking of gold and silver plate, are very numerous?—There are certainly not less than 20 different statutes, which are, more or less, in force, commencing from the 6th of George the First.

559. It is scarcely necessary to ask you whether it is not desirable that they should be at least consolidated?—I am quite of that opinion, and a consolidation has long been in contemplation.

560. Are you aware whether, in practice, difficulties are experienced in construing those different statutes?—I should think that it must be extremely difficult for the public to understand what the provisions of the law are with regard to liability to the duty.

561. And still more with regard to the obligation to hall-mark the articles that are manufactured; is not that so?—Yes, probably they rely upon the trader. The public do not understand the question themselves. When they buy articles of gold and silver they would look to see that they had been properly marked.

562. Are you not aware that, to say the least, there is considerable difficulty in determining what a dealer and a manufacturer has to do with reference to having his goods hall-marked, or the penalty that he is under for selling them without the proper hall-mark; does that come within your cognisance?—No, it does not come within

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within the scope of the business of my department.

563. You are aware, are you not, that there was a Parliamentary inquiry some 22 years ago on one branch, at any rate, of the present subject in 1856?—Yes, I have read the Report of the Committee.

564. Was not it one of the recommendations of that Committee that the law should be consolidated?—That was the case.

565. Can you tell us at all how it has happened that nothing has been done upon that recommendation?—No; I can refer the Committee to a Parliamentary Paper of the Session of 1855, in which there was printed a copy of a Report to the Treasury from the Commissioners of Inland Revenue, dated the 18th of February 1854, suggesting the abolition of certain assay offices. I may refer, also, to a paragraph in the "First Report of the Commissioners of Inland Revenue" (printed in 1857), in which they say that "The Parliamentary Committee which sat last Session to receive evidence of the state of the offices for assaying plate, recommended that the laws relating to them should be amended and consolidated, and that power should be given to the Treasury to open new and to close existing offices according to the varying requirements of the trade. The Bill prepared by our solicitor, carrying this recommendation into effect, is now in your Lordships' hands." The draft of the Bill in question appears to have been transmitted to the Treasury on 18th December 1856. The subject is again referred to in the "Thirteenth Report of the Commissioners of Inland Revenue" (printed in 1870), in these words, on page 82: "A Parliamentary Committee which sat in the Session of 1856 to receive evidence of the state of the offices for assaying plate, recommended that the laws relating to them should be amended and consolidated, and that power should be given to the Treasury to open new and close existing offices according to the varying requirements of Trade. A Bill was prepared by our solicitor to carry this recommendation into effect, but was not introduced in the House of Commons."

566. So far as your department is concerned they have done what in them lay to carry out the recommendation of the Committee, and they seem to have prepared a Bill and to have called attention to the subject in the House?—Yes; I might perhaps add that the subject of the duties on gold and silver plate was advisedly left out of the Act by which the stamp laws were consolidated in 1870, and it was in contemplation to frame a separate Bill. A Bill was actually drafted for the purpose, but for some reason it was not proceeded with; it was never introduced into the House. I have a draft copy of the Bill which was then prepared, and which I believe was sent to the Treasury.

567. There was a general Stamp Law Consolidation Act passed in 1870 or 1871, was there not?—Yes, in 1870.

568. But those particular duties were omitted from it for the reasons which you have mentioned?—Yes.

569. And, in fact, the subject has dropped from them until now for some reason or other?—Yes.

570. You seem to be so familiar with the subject that I will venture to ask you if you

*Chairman—continued.*

have any note or any record of any inquiry into this matter prior to the Parliamentary inquiry in 1856?—I believe that the earliest inquiry was by a Committee of the House of Commons in 1773.

571. Can you tell us the nature of that inquiry and its results?—It originated with petitions from Sheffield and Birmingham to have offices established in those towns, and I believe that the Goldsmiths' Company of London did not see that necessity for the establishment of those offices, but the House of Commons ordered an inquiry as to London, York, Exeter, Bristol, Chester, Norwich and Newcastle-on-Tyne; I have reason to believe, however, that there were no assay offices then in existence at York, Bristol, or Norwich, so that the inquiry was confined to London, Chester, Exeter, and Newcastle.

572. Did any legislation follow on that inquiry, to your knowledge?—I believe that the only result was the establishment of halls at Birmingham and at Sheffield, in accordance with the prayer of the memorials.

573. After that, which was in 1773, have you a note of an inquiry of any kind?—The subject of these duties in common with all the other duties of the stamp revenue formed the subject of inquiry by a Treasury Commission, which made a report upon the plate duty, amongst other things in the 14th Report of the Commissioners of Revenue Inquiry; which Report was ordered by the House of Commons to be printed on the 26th May 1826.

574. What was the nature of that Report?—That Report went very fully into the subject of the existing duties, and the mode of levying them; it pointed out that there was no efficient control, described the various kinds of evasion, and that the Goldsmiths' Company did not fulfil the obligations of their charter in regard to the supervision exercised over the trade. The recommendations of that Committee, so far as the department of the Stamps was concerned, were confined to four points, viz.: that there should be a frequent inspection of the accounts in London; that the accountant of the Goldsmiths' Company should be examined and verify his accounts; that a similar examination should be made in the country by the distributors of stamps, and that the dies of each expired year should be given up when new dies were supplied.

575. Did any legislation take place in consequence of that Report?—I am not aware that any legislation followed that Report; the recommendations of the Committee, so far as regards the practice of the Stamp Office, appear to have been generally observed.

576. Voluntarily?—Yes.

577. Was the next inquiry the Parliamentary Inquiry of 1856?—The next step actually taken was the visitation of all the assay offices, which took place in 1851.

578. By whom was that visitation conducted?—It was conducted by Mr. William Garnett, who then held the office of Inspector General of Inland Revenue, and who visited all the assay offices, accompanied by Mr. James Garrard, the then Prime Warden of the Goldsmiths' Company, and Mr. Johnson, who was also a warden I believe.

579. Was that undertaken spontaneously or in consequence of some representations made to the authorities?—There was some previous correspondence



*Chairman—continued.*

spondence between the Goldsmiths' Company and the Board of Trade; and the Commissioners of Inland Revenue were requested by the Chancellor of the Exchequer to take some means of ascertaining how the business of those assay offices was conducted.

580. Then the report of that visitation, as I understand, was the foundation for the Parliamentary inquiry of 1856, more or less directly?—I think it probably led to the appointment of the Committee.

581. We have the Report of that Committee, and I suppose that the Mr. Garnett that you have named is the gentleman who gave evidence before them as to the state of the different offices in point of discipline, practice, and so forth?—Yes, and his reports, as well as those of Messrs. Garrard and Johnson, were presented as Parliamentary Papers in 1855.

582. We have this Report before us, and I will just ask you one or two questions which you will be able to answer with regard to it; you have told us about the consolidation and that nothing has been done upon it, and they further recommended "that, among other provisions of such a statute" (that was the Consolidation Act which they advised), "power be given to open new offices in any part of the United Kingdom where it can be shown to the satisfaction of the Treasury that the manufacture of gold and silver wares requires such establishment for the convenience of trade, and where the income derived therefrom would be sufficient to defray the expenses; and to close any office where the amount of work is insufficient to support it, or where the work is insufficiently performed;" can you tell me distinctly whether anything has been done to carry out that recommendation?—No new offices have been established. A Bill (No. 159) to abolish the offices for assaying and marking wrought plate at the cities of York, Exeter, and Chester, and the town of Newcastle-upon-Tyne, was brought into the House of Commons by Mr. Wilson and the Chancellor of the Exchequer, which was read a second time on 7th June 1855, and after being put off several times, the order for Committee was discharged and the Bill withdrawn on the 19th July 1855.

583. Have any which have failed to do enough work been closed?—I believe that York has ceased to transact any assay business.

584. But you suggest that that has died out; it has not been closed under any Act of Parliament?—No; there has been no duty paid in York, I think, since 1868.

585. Have you prepared for the Committee a statement of the amount of duties paid to the Inland Revenue Office during last year and some previous years?—I have a statement here prepared which shows the quantity of plate, both gold and silver, and the amount of duty for each of the two last years ended 31st March 1877 and 31st March 1878 in each of the assay offices in England, Scotland, and Ireland, and also the drawbacks.

586. Have you a corresponding statement for any earlier year or years?—I have had a statement made out for convenience in the same form as the statement which is printed in the Appendix to the Report to the Committee of 1856, p. 177. The period to which the accounts are made up has been altered; the one is the year ending the 5th of January, and the other is the year ending the

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*Chairman—continued.*

31st of March, but each is an account of twelve months' working. I may say, also, that the "Thirteenth Report of the Commissioners of Inland Revenue" (vol. 2, p. 132), contains a statement of the amount and rate of duty on gold and silver plate in each year from the first imposition of the duties to the year 1868-9, and if the Committee desire, it I can have this continued up to the present time, so as to show the amount of duty from 1720, when it commenced, in each year and in each country up to the present time. (*See Appendix.*)

587. If you will favour the Committee with a copy of that as one of your Papers, it will be exhaustive, of course. Now then, comparing the return of 1856 with the Paper which you have prepared for this Committee, what results appear with regard to the growth of this industry, or the amount of duty payable upon it?—I find that the duties have decreased in every case except in Birmingham and Sheffield. While there has been a decrease in each of the Halls, except Birmingham and Sheffield, there has been an increase in those almost equivalent to the decrease in the others. (*See Appendix.*)

588. Before we go into detail, would you give us the aggregate duty in 1855 as compared with the aggregate duty in 1878?—The aggregate duty for the year ending the 5th of January 1855, was 84,289 *l.* 1 *s.* 9½ *d.*, and the aggregate duty for the year ending the 31st of March 1878, was 78,609 *l.* 10 *s.* 10½ *d.*

589. What was it the year before that?—The year before it was larger; it was 82,027 *l.* 2 *s.* 3 *d.*

590. We therefore find that since 1855 there has been a rise up to a certain period, and then a rapid fall; have you anything which would enable you to say how that is?—I think the duty reached its lowest point in the year 1870, when it was 63,059 *l.*

591. Could you give us its highest point since 1855?—Its highest point appears to have been in 1874, when it was 86,821 *l.*

592. That includes, does it not, the gold and silver duties?—Yes.

593. Not the Customs?—No, only the Inland Revenue duty; viz., the gold and silver plate duty; it does not include the license duty.

*Mr. Talbot.*

594. You are now giving only the duty collected on articles manufactured in this country?—Yes, it does not include the Customs duties.

*Mr. Goschen.*

595. Are there not articles manufactured abroad which have to pay duty?—That would come under the head of Customs.

*Chairman.*

596. There is such an immense difference between 1870 and 1874, which are very short intervals, from 63,000 *l.* to 86,000 *l.*; could you give any reason for that fluctuation?—No, I am not able to assign any reason.

*Sir Patrick O'Brien.*

597. Have you any return which would indicate the cost of the collection of those duties?—So far as the Government is concerned, it is limited to one per cent. upon the amount.

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598. It

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*Chairman.*

598. It is suggested to me that the Franco-German war may in some way have affected that duty; what is your view with respect to that?—I think that probably it may have been so, and that the present state of commercial affairs may have a depressing effect upon the duty at the present moment.

599. In that year, 1870, what was the amount of duty paid in London?—I can have that ascertained. I have only got it in the aggregate.

*Mr. Campbell-Bannerman.*

600. Could you tell us how much it was in 1869, in order that we may know whether there was a sudden drop in 1870, owing to the war?—The total duty was only 64,900 *l.* in 1869, and it had been under 70,000 *l.* for several years.

*Chairman.*

601. Would a reference to the amount of drawback at all throw any light upon those figures?—I have not the drawback for those years, only for the two years for which I have got the accounts.

602. You could not tell us whether when the net amount was low it was lowered by allowing drawbacks on exportation?—No; that could be investigated if you desire.

603. With regard to the licenses, could you give us the amount of license duties for one or two years in that period?—I could supply the Committee with the amount of the license duties for the whole period, from their commencement in 1758 to the present time, if you desire it. (*See Appendix.*)

604. Have you any return before you of last year's licenses?—I have a statement of the licenses for the last three years; in the first year, the year ending March 1876, the total amount was 40,747 *l.*; in the next year 41,281; and in the year 1877, 42,216 *l.*, so that there was a gradual growth.

605. Is that for the United Kingdom, or only England?—It is for the United Kingdom.

606. Who pays those licenses?—All persons dealing in plate.

607. There were two rates of duty mentioned the other day; what is the distinction between them?—There are two descriptions of license, to sell two ounces of gold or 30 ounces of silver and upwards, and to sell less than two ounces of gold or 30 ounces of silver in one article.

608. Does that mean if a man sells more than two ounces at one time or two ounces in the whole year?—Two ounces in one article.

609. Returning to those two Papers which enable you to make a comparative statement, you have mentioned that Birmingham and Sheffield have increased; has London increased or gone down?—London has gone down; I may observe that the two rates of licenses are, 2 *l.* 6 *s.* the lower, and 5 *l.* 15 *s.* the higher.

610. How much is collected under each head; is the greater proportion on the lower rate or the higher; take it in the last year as 42,216 *l.*, how much was on the higher scale, and how much on the lower?—The proportion of the higher to the lower is as three to nine; in the last year there were 3,188 of the higher licenses, and 9,839 of the lower licenses issued.

611. To revert to the duties again, you have got before you that comparative statement; what was the decrease in London?—The decrease in

*Chairman—continued.*

London was 16,038 *l.* from the year 1854 to the year 1877.

612. Would you read out for the last year how much came from each office?—The aggregate duty in the year 1877-78 was 78,609 *l.* 10 *s.* 10  $\frac{1}{2}$  *d.*; in Birmingham it was 18,866 *l.* 15 *s.*; in Chester, 33 *l.* 2 *s.* 2 *d.*; in Exeter, 3,391 *l.* 11 *s.* 1 *d.*; in Newcastle-on-Tyne, 191 *l.* 19 *s.* 4  $\frac{1}{2}$  *d.*; in Sheffield, 6,551 *l.* 0 *s.* 4  $\frac{1}{2}$  *d.*; and in York nothing.

613. I think you say that there has been nothing from York since 1868?—I think 1868 is the last year. It appears by a Paper which was put in by the Right Honourable Member the Chairman of the Committee on the Depreciation of Silver, in which there was a detailed return given for each of the country assay offices, that 2 *l.* was collected from York in 1868. The amount in London for 1877 was 46,776 *l.* 19 *s.* 1 *d.*, making a total of 75,811 *l.* 7 *s.* 1 *d.* for England. In Scotland the amount was 1,034 *l.* 5 *s.* 10  $\frac{1}{2}$  *d.* for Glasgow, and 1,163 *l.* 0 *s.* 9  $\frac{1}{2}$  *d.* for Edinburgh; and in Ireland 600 *l.* 17 *s.* 2 *d.*, making a grand total of 78,609 *l.* 10 *s.* 10  $\frac{1}{2}$  *d.*

614. So that more than one-half of the whole business is done in London?—Yes.

615. What does the department allow those assaying bodies for collection?—There is an allowance of 1 per cent. in England, and 2  $\frac{1}{2}$  per cent. in Scotland, and 5 per cent. in Ireland; in addition to which the Government pays the salary of the Deputy Assay Master at Dublin under an ancient statute of 23 & 24 Geo. 3, c. 23, 70 *l.* Irish currency, which comes to about 64 *l.*

616. Then the result of that is that, with the exception of Birmingham, Sheffield, Exeter, and London, the business of the county assay offices is very small?—I make out that the increase in Birmingham and Sheffield has been 14,070 *l.*, while the decrease in London and the other country offices has been 18,534 *l.*

617. You, of course, are putting the London and the country offices together, London having by far the larger proportion, but have the smaller offices increased on the whole, or kept steady?—With regard to Chester, which appears so very small in the return, I have made inquiry as to the number of manufacturers of gold and silver plate who are accustomed to make use of that assay office at the present time, and I find that there are 81 manufacturers on the list who make use of the Chester Assay Office, but there are very few of them in Chester, and out of the total number of 81 I find there are 34 whose addresses are at Coventry; there are 12 who are London manufacturers or dealers, five at Birmingham, and one at Bradford; so that there are 52 far away from Chester, as compared with 29 who belong to Cheshire and Lancashire.

618. You would find the greater number in Liverpool, would you not?—There are several manufacturers in Chester, not so many in Liverpool, I think.

619. If you only receive a duty of 33 *l.* 2 *s.* 2 *d.* from Chester, of course it is clear that the whole 81 dealers or manufacturers have not used the office during the year?—I have the detailed account for the quarter ending the 5th of January 1878, at Chester, and there were only three dealers named in it who paid duty amounting to 10 *l.* 2 *s.* -  $\frac{1}{2}$  *d.*, so that probably most of the persons who make use of the Chester office now do so for the purpose of marking watch cases, which are exempt from duty. Then as regards Newcastle, which

*Chairman*—continued.

which also appears to have fallen off very much, there are only five manufacturers in the list as making use of the Newcastle Assay Office at the present time; and as regards York, from which there is no return, I have made enquiry, and have received information that the manufacturers of York send their goods for assay to London, Birmingham, or Sheffield.

620. What is exactly meant by being on the list; is it a catalogue of those who, within a given time, have used it, or is there a sort of formal list kept?—They have their names registered; and the list is returned to me as of those who are accustomed to make use of the assay office.

621. You are aware, are you not, that at one time the law required the assaying to be done at the office to which the manufacturer tendering the article had himself registered?—Yes, but that restriction was removed.

*Mr. Courtney.*

622. Does not each of those manufacturers keep a die at the Assay Office?—No, they stamp their own mark before they send the articles to the hall.

*Mr. Thomson Hankey.*

623. Is it within your knowledge where the Liverpool business is transacted?—It was Chester for watch cases, and I apprehend for other goods also. The Chester list which I have contains Chadwick of Liverpool, Cruickshanks of Liverpool, and several others.

624. You only collect 33 *l.* as the whole duty on plate at Chester?—Yes, the whole duty brought to the revenue in one year was 33 *l.*

*Sir Patrick O'Brien.*

625. Have you any idea what the cost of the collection of that 33 *l.* was?—One per cent. on that amount.

*Chairman.*

626. The Inland Revenue are in the habit, are they not, of issuing dies or punches, to those country offices?—Yes, it is the function of the department to provide the duty mark, which it does upon requisition from the different assay offices.

627. Have you any information as to the extent to which those dies have been required and taken up by the country offices?—Our engraver prepares them and we issue a considerable number of dies every year to the London Hall; during the last three years there have been over 100 issued in each year.

628. How many to Birmingham?—There were none supplied in 1857 or 1858, or 1860 or 1863, or 1866, or from 1868 to 1870, or in the several succeeding years 1873, 1874, 1876, and 1877. There was an unusual number supplied in 1875.

629. How many did they take?—One hundred and two in 1875; that is the largest number they ever took, and equal to the number supplied in the London office.

630. What is your duty stamp?—The Queen's head.

631. Has that been in use for a long time?—It varies with the sovereign; it is the portrait of the reigning sovereign.

632. How is it in the other offices with regard to this matter?—Sheffield asks us for marks every year, and so does Exeter. Edinburgh had 0.117.

*Chairman*—continued.

three marks in 1864, two in 1868, and one in 1874; York had two in 1855, and none since.

633. What inference do you draw from the number of the dies those country offices require?—That their work must be very small; I conclude that the offices, which have a die every year, may have that die associated with a variable letter, and that the others dispense with that requirement, and have a separate die.

*Mr. Campbell-Bannerman.*

634. Ordinarily, why does an office require a new die?—Because it would be worn out by use, or broken or damaged in some way.

*Chairman.*

635. Are they compelled to take a die from your office?—Yes.

636. Could not they get a die for themselves?—No.

637. Is it the law that they are to get it from your office?—Yes.

638. Are the old dies sent back to you?—In the country we recall the old dies when we issue new ones. In the London Hall, I believe the practice has always been to have the old dies ground down and defaced, in the presence of the wardens.

639. Practically speaking, does your experience with regard to these dies suggest that the public have a very great protection from the law, which requires the die to be issued direct from your office?—No, I cannot see that there is any great protection from the duty die being impressed; I believe that the Committee of Inquiry in 1826 expressed their doubts as to the necessity, or the advantage of the Stamp Office die being impressed upon plate.

640. A doubt, which I collect, you rather appear to share; is that your opinion?—The only question is how far the impression of that die in conjunction with the assaying marks, gives a character to the plate which it would not otherwise be deemed to possess in the eyes of the public, or in the eyes of the foreigner.

641. Supposing the assay offices were to make their own stamp office die, I understand that the die that your office issues, indicates that the duty has been paid?—Yes.

642. Supposing they make it themselves, and stamp it on receipt of the duty; what would you say to that?—That would be a forgery by the present state of the law.

643. But supposing the law allowed it to be done?—There would be no signification in such a stamp, excepting as a token of the payment of duty; it is equivalent to a receipt for the duty.

644. Then it has only a present signification?—Yes, it would cease to exist if the duty should cease.

645. Have you reason to suspect that the hall-marks, whether the one which indicates duty paid, or the assaying authorities' mark, which indicates the year and so forth, are forged to any extent?—I have no knowledge. Rumours have reached us from time to time that malpractices exist, and that there are forgeries of the marks, and that the marks are transferred, which is another description of fraud.

646. Is that which you suggest done in England, or is it done abroad?—We have been told that it is done in England.

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*Chairman*—continued.

647. Have your office ever prosecuted anybody for such forgery?—I am not aware that we have had any prosecutions at all under these laws for the last 20 or 30 years certainly. I believe that all the prosecutions that have taken place have been at the instance of the Goldsmiths' Company of London, and inasmuch as the forgery of their marks involves the forgery of ours, it has been considered sufficient for one prosecution to be instituted.

648. But your department, so far as your own experience goes, has not issued any prosecution?—I am not aware that we have ever had any information upon which we could prosecute.

649. Have you had any information from anybody interested of any evasion or suspected evasion of the Act as distinguished from forgery and fraud?—Persons have represented to our board from time to time that such evasions are carried on, and we have communicated with the authorities at Goldsmiths' Hall upon the subject, and also our inspectors have seen people connected with the trade, but we have never succeeded in getting any information upon which we could take any proceedings; I do not remember anything officially brought under the notice of the board by way of correspondence, except with reference to a supposed deficiency in the amount of gold that was stamped.

650. What was that?—That was in 1876; a gentleman who has been a member of the Goldsmiths' Company, a Mr. Watherston, called the attention of our board to a statement which appeared in the Report of the Select Committee on the Depreciation of Silver, by which it appeared that only 316,208 ounces of gold had paid duty in the course of 24 years, and it was presumed that this must have been chiefly in respect of wedding rings, and on the assumption that that weight of gold made into rings of two pennyweights each would only have provided 3,162,080 rings, it was suggested to us that there must be some great evasion, because it was found totally insufficient for the population as representing the actual number of marriages. We took pains to ascertain from the Registrar General what the number of marriages had been in those 24 years, and we were informed that there had been 4,170,359 marriages; and if a new wedding ring had been used of two pennyweights weight on each occasion, it was estimated that 417,035 ounces of gold might have been used to make those rings.

*Mr. Bates.*

651. But all wedding rings are not made of gold, are they?—That was the suggestion which we received from the Goldsmiths' Hall. We communicated with the Goldsmiths' Hall upon the subject, and the representative of the company expressed his surprise that so much had been paid duty upon in 24 years, being, he observed, nearly equal to 3-4ths of the gold which would be used in wedding rings if all the marriages had been performed with new rings, considering how many marriages there were made without rings, and how many rings were used that were not gold, and also second-hand rings from pawnbrokers, and so on.

*Chairman.*

652. Then that seems to suggest that duty-paying gold is used for little else than wedding-rings; is it not used for other purposes?—Watch

*Chairman*—continued.

cases are exempted; I should think the greater quantity of gold is used in watches, and in rings and trinkets which are exempt; jewellery does not pay; very few chains are hall-marked I apprehend, unless they are a very big, gross kind of chain, for there is no place for putting the stamp upon them otherwise.

653. You have prepared a statement, I believe, of the articles that are liable first to duty, and secondly that are required to be hall-marked; have you any information upon that which you could give us?—The Schedule to the Act of the 55 Geo. 3, c. 185, specifies the duties and exemptions in the following terms, viz. :—

“Plate of gold made or wrought in Great Britain, and which shall or ought to be touched, assayed, and marked in Great Britain, for every ounce thereof, and so on in proportion for any greater or less quantity .. per ounce 17s.

“EXEMPTION.—Gold watch cases.

“Plate of silver made or wrought in Great Britain, and which shall or ought to be touched, assayed, or marked in Great Britain, for every ounce thereof, and so on in proportion for any greater or less quantity - per ounce 1s. 6d.

“EXEMPTIONS.—All watch cases, chains, necklace beads, lockets, filigree work, shirt buckles or brooches, stamped medals, and spouts to china, stone or earthenware teapots, of silver of any weight whatsoever. Tippings, swages or mounts, not weighing ten pennyweights of silver each, and not being necks or collars for castors, cruets or glasses, appertaining to any sorts of stands or frames, wares of silver not weighing five pennyweights of silver each, but this exemption not to include necks, collars and tops for castors, cruets or glasses appertaining to any sort of stands or frames; buttons to be affixed to or set on any wearing apparel, solid silver buttons, and solid studs, not having a bezelled edge soldered on, wrought seals, blank seals, bottle tickets, shoe clasps, patch boxes, saltspoons, salt ladles, tea-spoons, tea strainers, caddy ladles, buckles and pieces of garnish; cabinets, or knife cases, or tea chest, or bridles, or stands or frames.” This was an Act with regard to Great Britain, and it was applied in Ireland by the 5 & 6 of Vict. c. 82. It was an Act repealing the duty granted by the 44 Geo. 3, c. 98, and granting others in lieu; which duties have continued to be imposed ever since.

*Mr. Guschen.*

654. Has the whole Act continued since, or is part of it repealed and part of it re-enacted?—There have been certain modifications of it with regard to the forgery clauses, and with regard to certain other portions of it, but it remains the same, and is our guiding Act now as regards the plate duty.

655. Is it a Gold and Silver Duties Act, or is it a Revenue Act generally; if it is a Revenue Act generally it would probably be included in the Consolidation Act which you referred to, except so far as relates to gold and silver?—It included other stamp duties since abolished. The whole Act was repealed by Statute Law Revision Act, 1873, except sections 2, 4, and 7, and the schedule, so far as relates to the plate duties.

*Mr. Hamond.*

656. Do the same rates prevail now as did under that Act?—Yes.

657. Watch

*Chairman.*

657. Watch cases are not subject to duty; are they liable to Customs duty?—I believe not.

658. But you are aware that watch cases are by law required to be hall-marked?—Yes, that is the case.

659. And you are aware that there is a penalty upon any manufacturer making or any dealer selling watch cases which are not hall-marked?—Yes, I believe that is the case.

660. If the dealer or manufacturer is a dealer or manufacturer in the United Kingdom?—Yes.

661. There have been cases of evasion of licenses within the knowledge of the department?—Yes, we have occasionally prosecutions against small people for the evasion of license duty.

662. Have you anything to add to your evidence?—There is one point to which attention has been called sometimes, viz., that by the Act of the 25 Geo. 3, c. 64, the exporters of gold and silver plate are required to mark or engrave on the inside of every watch case the same number as should be engraved on the works of the watch. The 38 Geo. 3, c. 24, in 1798, repealed other provisions of the 24 Geo. 3, c. 33, but did not touch that point.

663. Am I to understand that the law is now that if an English manufacturer exports an English-made watch, he must mark on the works the same number as has been marked on the case?—That appears to have been the law until 1871, when the provision was repealed by the Statute Law Revision Act of that year.

664. Have you any notes of anything else which you wish to tell the Committee?—It may assist the Committee in illustration of the law with regard to licenses to refer to a case which was decided in 1877 in the Court of Exchequer. It was on an appeal from the decision of a metropolitan police magistrate with reference to the license duty imposed by 30 & 31 Vict. c. 90, s. 1. It was contended that the weight of pure gold in a chain that had been sold was less than two ounces, and consequently that the lower rate of duty only was sufficient, but we contended that there was nothing as to pure gold in the statute, that the weight of the article sold as gold must be taken as the weight which regulates the rate of duty; the magistrate upheld the contention of the defendant in this case, and dismissed the information; but we appealed to the Court of Exchequer, and they took the view of the Revenue against that of the magistrate, namely, that the higher duty attached to it.

665. Then it was the mere fact of having a little gold in the article which leavened the whole matter and made the larger duty payable?—Yes; the decision in that case was printed in the 20th Report of the Commissioners of Inland Revenue, Appendix, page 40.

*Mr. Torr.*

666. Did the article bear the Goldsmiths' mark?—I have no information upon that point. I do not know whether that was looked to or not, but I should say not.

*Mr. Goschen.*

667. Would you be able to prepare for the Committee a resumé of the existing enactments, so far as they bear upon your department?—Yes, that shall be done. (*See Appendix.*) In speaking of the fluctuations of the duty which have been so great, it may be interesting to notice that the

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*Mr. Goschen—continued.*

produce of the duty was at its maximum in 1825, and its minimum in England was in 1849; the greatest produce of the gold and silver duty was in the time of the speculating mania in 1825, and it was attributed to the desire of people to make a display.

668. Does the question of the export of manufactured silver come under your department?—No, that would come under the Customs Department, or the Board of Trade.

669. You levy the Excise duties, but the drawback is allowed by the Customs, is it not?—The drawback is allowed from the duty upon debentures certified by the Customs Department.

670. But the 1 s. 6 d. is paid to you on the manufactured article?—Yes.

671. If that manufactured article is exported, under what department would it come?—It would come under the Customs.

672. I suppose you could not give us any information as regards the export of manufactured articles?—No, we have no knowledge upon that subject.

673. But the duties paid to you would increase according as there is a demand for export or not?—Yes, I apprehend so.

674. That would show large duties, but the State would lose it again in the drawback?—Yes.

675. There might be an apparent increase of revenue, or decrease of revenue, according to the statements which you show, but the Customs returns, through the drawback, might correct the impression?—Yes, I apprehend that that would be the case.

676. You have been speaking of the gross receipts?—Yes; the figures with which I have been dealing are the gross receipts.

677. So that if in any abnormal year there was a reduction it might mean that the exportation of the manufactured article would diminish, whereas the whole consumption would remain the same?—Yes, I think that is possible.

*Chairman.*

678. And similarly any exceptionally large return to your office might be corrected by the article having been made merely for export?—Yes.

*Mr. Goschen.*

679. Do you know whether there is much exportation to France?—No, I have no knowledge upon that subject.

*Mr. Onslow.*

680. Are you aware of the reasons why the Legislature has exempted watch cases from duty?—No.

681. Should you think that there would be any hardship if watch cases imported from abroad were subject to duty?—That would be an interference with the principle of free trade.

*Mr. Bates.*

682. You say that no case has ever been brought to your notice of fraud with regard to hall-marks; for instance, have you ever had such cases as this brought to your notice, the cutting of the hall-mark from a small article of silver and placing it upon a large article, and thereby defrauding the Revenue?—Yes; we have heard that that is constantly done, but we have never been able to detect it.

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683. Was

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Mr. *Bates*—continued.

683. Was not there a case of that description a short time ago before the police?—Yes; I think there was some case in which the Goldsmiths' Company prosecuted; but we were not concerned in the prosecution.

684. You have no return whatever of the duty which is imposed at the Custom House upon the importation of foreign silver; for instance, when people come from India bringing silver which pays 1 s. 6 d. an ounce, you have no record of that, have you?—I have seen the returns, but I would rather for the Customs to produce them, as they do not belong to my Department. There is one thing which, perhaps, I might refer to: I have seen it advertised in the newspapers, and represented constantly, that the duty was repealed in 1758 for the encouragement of the trade. These words have been used in advertisements, and they have appeared also in pamphlets which have been written upon the subject, in inverted commas viz., "For the encouragement of the silver trade," as if it was a quotation from the law, or as if that were the ostensible justification for the abandonment of the duty in 1758, when the Act of the 31st Geo. 2, c. 32, was passed; but I cannot find anything in the Act to justify such a conclusion, or that any such reason was assigned for the duty being taken off. On the contrary, I think that it was in consequence of the difficulty of making proper provision for the ascertaining and collecting of the duty; and it was because the provisions of the law had been found to be so ineffectual that it was thought that a license duty should be substituted as likely to be more effectual. I think that there has been a misrepresentation of the case.

Mr. *Freshfield.*

685. Do you refer to the debate?—No, I allude to advertisements which have appeared in the public press, and to pamphlets which have been circulated by the advocates for the repeal of the duty.

686. But a Minister may have stated it in the course of bringing in the Bill?—I think I referred to Hansard once, but I could not discover anything to justify that being put forward as if it were a quotation from an Act of Parliament; and I rather demur to that view being given to it.

Mr. *Campbell-Bannerman.*

687. I understand that the amount which you have mentioned of the duty paid at the local offices, may not be the full measure of the business done in those offices?—No; for example, at the Chester Office they may have a great many watch cases to assay and to mark which are exempted from duty, and on reference to the evidence taken before the Committee of Inquiry in 1876, I think it will be found that great value was attached to the Chester mark by Liverpool traders; that the Americans attributed greater value to the Chester mark than they did to any other mark; and this may be the reason why Coventry makers and some of the London makers send their watch cases to Chester instead of going to the London hall; it is a peculiar mark appertaining to Chester. I think a wheatsheaf is their particular mark.

688. Then their business is not at all represented in the small amount of 33 l. of duty paid at Chester, there being no duty paid upon those

Mr. *Campbell-Bannerman*—continued.

watch cases?—No, and I think it will be found in the statements that were obtained by the former Committee showing the income of each of the offices, that there was a much larger income derived by the Chester office than could have been derived from the duty-paying articles which they were assaying, and that there must have been the profit on returns from the assays of other than duty-paid articles.

689. You mean the charge that they made for marking?—Yes; that could only be ascertained by inquiry of the separate halls; there has been no kind of inquiry and no attempt at any investigation of the halls since that which was undertaken in 1851, so that I have no more recent information as to those halls except as regards the duty which they account for. The officers of Inland Revenue visit the halls every quarter in the country, as they do in London, and examine the books, comparing the notes of each transaction with the entry in the books in order to see that they correspond, and that the whole duty which is entered in the books is accounted for at the time.

690. The figures which you quoted with regard to the duty are, of course, quite exclusive of any charges that may be made by the hall for the work which they do in marking the plate?—Entirely so; we have no knowledge of their internal administration.

Mr. *Thomson Hankey.*

691. You referred, I think, to a statement which was delivered in 1855, in the Appendix to the former Report; do I understand that you would be able to continue that for the information of the Committee up to the present time?—It would be very troublesome to give it for each hall separately in every year; it would involve a reference to accounts which cannot easily be got at now; but I could give the information for the last two years in the same form in which it is there, if that is considered sufficient.

692. I rather think it would be useful to the Committee in watching the progress of the alterations which have been made for the present year to be able to compare that with the former years, and we then should be able to see what is the main difference, and where that difference has arisen?—I will put in the account for the two years made out exactly in the same form, so as to admit of comparison. (*See Appendix.*)

693. Your office is in the habit, is it not, of preparing an annual report to the Treasury of the progress of the business during the past year?—Yes.

694. You consider that it is your duty, do you not, to call the attention of the Government to any points of importance with regard to the duties, or the levying of those duties, or everything that has passed in your office during the past year, and that has been your habit?—Yes, we comment upon any changes in the law, and if there are any suggestions that have to be made, the opportunity is taken very often to bring them forward in that form; I have quoted to the Committee from two Reports in which this subject has been referred to, viz., the 1st Report and the 13th Report of the Commissioners of Inland Revenue.

695. You have already called to the attention of the Committee that you have in those two particular Reports alluded to the subject of the duty



Mr. Thomson Hankey—continued.

duty on gold and silver ware; you have more lately, in 1870, called the attention of the Treasury to the fact that from the year 1855 this duty has been, more or less, constantly diminishing in Great Britain?—It has been a fluctuating duty.

696. When you say that it has been a fluctuating duty, it is now, to a certain degree, less than it was 25 years ago; have you in any one of your reports called the attention of the Treasury to that fact?—Not that I am aware of.

697. But it is the fact, is it not?—The fact, I think, is that the duty has been stagnant; the duty for the year 1876, which is 82,027 £, is identical with that of 1853, 25 years ago.

698. At all events, it has been stagnant for 25 years?—It has been fluctuating like other taxes have.

699. Can you mention any other tax on a manufactured article in England, which has not made some relative progress with reference to the increase of population and wealth in this country in the same period?—I do not think that it admits of comparison, because the gold and silver plate duty is liable to causes which do not, perhaps, influence other trading products which are the subjects of taxation; the growth of the use of electro-plate is, no doubt, a very strong reason why there has been no progressive increase in the gold and silver plate duty.

700. Still that does not quite answer my question; that is a cause I have no doubt, but you have generally considered it your duty to represent when any amount of duty collected for revenue purposes has been either stagnant or requires special consideration; and with regard to this matter am I not right in saying that you do not appear to have called the attention of the Treasury to the fact that it has been in a stagnant condition for 25 years?—I am not aware that special attention has been called to this particular duty in either of the Reports except those which I have quoted; but, at the same time, I believe that the Board of Inland Revenue have been in communication at various times with the Government, and with different Governments, on the subject of those duties.

701. But we have no public record of it; it has never been given to the public?—I have not searched through all the Reports, but I have no recollection of those particular duties having been commented upon.

702. I remark that, because you have called our attention to two of the Reports where you have not gone to an extent which I should have thought probable, considering the peculiar position and the importance of these duties. I understand you attribute the disuse of it entirely to the greater use of electro-plate?—I merely suggested that as an obvious reason.

703. If there was no such reason, it would be very striking, would it not, that such an article as gold and silver plate should not have increased in use in a country which has been increasing so enormously in wealth during the last 25 years?—Yes, I think so unquestionably; it would strengthen the supposition that there might be great evasions of the duty. If there were no cause for decrease in the produce of duty, the only conclusion would be that the duty was greatly evaded.

704. Therefore it would be a natural thing for you to call the attention of the Government to this fact, or the attention of your Board would

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Mr. Thomson Hankey—continued.

naturally be directed to the fact, to ascertain whether it was owing to evasions of the duty or to any other cause, such as the greater use of electro plate which you thought sufficient to account for it; would not that be so?—I think that any legislation as regards the policy of the duty would be a subject not wholly within the province of our Board, but would be partly with the Board of Trade.

705. But still you have been in the habit of calling the attention of the Board of Trade, and the Treasury as well, to any fact which in your judgment required the consideration of the authorities of the Government?—I apprehend that if the Board of Inland Revenue had not called particular attention to it, it is because they have not considered that the subject required it.

706. Do you think that there can be any object whatever in keeping up a *quasi* Government establishment in connection with such a place as Chester, where the whole duty collected for Government purpose is only 33 £.?—I really do not look upon the establishment at Chester as a *quasi* Government establishment from a revenue point of view, because Chester and the other country halls had their existence long before the duty was thought of.

707. Who pays now the expenses of this hall?—The office is maintained through the charges that they make for the assaying and for the marks.

708. But all that the Government get is 33 £.?—Yes, and all that the Government pay for that is 1 per cent. upon 33 £., so that it is a very cheap mode of collecting the revenue. There is no portion of the public revenue more cheaply collected than this; but the assay offices were established for quite a different purpose from that of collecting the duty; they were established for the protection of the public, and for the maintenance of the standard of gold and silver in this country.

709. Has your Board considered at all whether the maintenance of this duty does materially interfere with any existing trade in this country; I believe that is a subject which from time to time they have, more or less, considered?—I am not aware that the Board have come to any conclusion of that kind.

710. Have they never had it under their consideration whether the amount of this duty does interfere with the increase on prosperity of the trade in gold and silver ware?—It is naturally a debated question.

711. Has the attention of the Board of Inland Revenue ever been called to this fact, that during the last 25 years, whilst this duty was in a state of semi-stagnation, the electro-plate trade has constantly been going on increasing, which is very much the same kind of trade, using gold and silver for the purposes of consumption in this country, and that that trade has gone on free of duty altogether; has that never been called to the attention of the Board of Inland Revenue?—The Board of Inland Revenue have no actual returns brought under their notice showing what the increase of consumption of electro-plate may be. The Board of Inland Revenue have no returns and no information from which they can draw any statistics as to the quantity of electro-plate which is made from time to time. They can only infer that this is one of the causes why

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Mr. Thomson Hankey—continued.

the gold and silver plate duty does not increase, as electro-plate is notoriously used instead of real silver.

712. And which pays no duty?—Which pays no duty; but I believe that the electro-plate manufacturers are great advocates for the maintenance of the duty; Mr. Elkington and others, who were examined before the Committee of 1856, advocated the maintenance of the duty.

Mr. Freshfield.

713. You told the Committee that in the year 1870 the Board of Inland Revenue brought in a Bill to regulate the laws with regard to hall-marking, and you gave my honourable friend a print of that Bill, and I have also got it in my hand; I suppose that Bill represented the Inland Revenue views at the time with respect to any changes which were necessary in the law?—I have no actual knowledge on the subject; I only lately became aware myself of such a Bill having been drawn; it was drawn by an officer of the Solicitor's Department of the Inland Revenue.

714. It was therefore an official Bill?—I do not know to what extent; it was privately printed; I do not know whether it was printed in Parliament.

715. Yes, it was printed in Parliament; it purports to be a Bill to consolidate and amend the laws relating to duties on gold and silver plate manufactured in the United Kingdom?—If that is the Bill referred to in the Report of the Commissioners of Inland Revenue on the duties on gold and silver plate, it was never introduced into the House.

716. But that Bill was prepared in consequence of the Report of the Committee of 1856, and other circumstances?—But it did not immediately follow that Committee.

717. I suppose I may take it that it represented the views which were entertained at the time it was framed by the authorities?—I do not know how far the Board were committed to it.

718. It was prepared by their solicitor, and here it is, and it was never brought in. I see that by that Bill they proposed to reduce the duty, I think, on gold from 17 s. 6 d. to 14 s. 2 d. an ounce, and on silver from 1 s. 6 d. to 1 s. 3 d. an ounce?—I do not know the exact cause which stopped this Bill. This is a paper which was privately printed, and appears to be the draft of a Bill which was never introduced. It has the word "Treasury" on one corner of it, as if it had been sent to the Treasury for consideration. I do not know whether there was a change of the Government at the time, or what may have led to its withdrawal.

719. It speaks for itself; it proposes to reduce the duty on gold from 17 s. 6 d. to 14 s. 3 d., and on silver from 1 s. 6 d. to 1 s. 3 d.; is not that so?—There appears to have been a proposition made to reduce it.

720. Those are the terms of the Bill; it was a proposed reduction, was it not, in the rate of duty then payable by law?—Yes.

721. Do not you think it quite possible that the Chancellor of the Exchequer, who is an authority at the Treasury, might have had some views on the question whether that Bill should be proceeded with on financial grounds?—I have no doubt that there may have been some private communication between the chairman of the

Mr. Freshfield—continued.

Board of Inland Revenue and the Government authorities.

722. Is there throughout the Bill generally, with that exception, any great change made in the law, and if there is, what is it; you see that it is a consolidation Bill, therefore it is a repeal Bill; but I want to know whether in the general law in relation to gold and silver plate, there was any substantial alteration proposed to be enacted by that Bill?—I really have not studied the provisions of that Bill, nor do I know how far the Board of Inland Revenue are of opinion that that would be the proper form of any legislation that might be adopted on the subject. I cannot produce that Bill to the Committee as being a representation of what the Board of Inland Revenue would think right to be done if legislation were to be now proposed.

723. There are two objects of the Bill, the one to make that reduction, the other to make a consolidation of the law, and for the rest, I think, I may take it that there is no substantial change in the law?—I only referred to this draft Bill in what I stated to the Committee, as being an evidence of the intention which the Board had to deal with the subject of the plate duties subsequent to the consolidation of the Stamp Laws, they having passed a Bill to consolidate the Stamp Laws and the Stamp Duties Management Act, in 1870, while they did not at the same time deal with the gold and silver plate duties, which had been formerly incorporated in the Stamp Duties Acts.

724. In fact they dealt with one class of the law, distinctly leaving this question entirely to be dealt with separately?—Yes.

725. It was proposed to be dealt with by this Bill, but this Bill has not been prosecuted?—Yes, that is so.

Mr. Goschen.

726. Can you tell the Committee who proposed it, and who was responsible for the Bill?—I am not in a position to say how it was proposed, or by whom it was proposed; the 13th Report was printed in 1870, and I really am unable to say whether that Report was written before the Bill was drawn or not. I notice that the date of this report is February 1870, and therefore I am entitled to assume that the Bill which is referred to in the text of this Report, and which I have quoted, is not the Bill which is dated June 1870, but that it is some subsequent departmental suggestion. It would be easy to ascertain whether the Bill that is referred to in this Report of 1870, is the same Bill or another Bill. I think it can hardly be considered as being the Bill which is referred to here.

Mr. Freshfield.

727. I think you say that there is no duty payable in respect of watch cases?—No; they are exempt.

728. And yet watch cases are constantly stamped?—Yes, they are assayed.

729. Why are they assayed if they are not legally liable to any duty?—Because the obligation to assay is distinct from the obligation to pay duty; they have not got the Queen's head upon them, the duty mark.

Sir Patrick O'Brien.

730. You are here, I presume, to speak as to the financial aspect of this question; we have had but

*Sir Patrick O'Brien*—continued.

but three ideas before us; the first one with reference to duty, the next with reference to the license, and the next with reference to the hall-mark; the amount of duty, as I gather from you in the best year, has not been more than 86,000 *l.*?—The duty has been higher; the duty rose to 120,000 *l.* in the year 1825.

731. Within the period with respect to which you have been examined by the honourable Member, the last 10 or 15 years, I am accurate, am I not, in saying that it ranges between 80,000 *l.* and 90,000 *l.*?—It ranges, as I say, between 60,000 *l.* and 90,000 *l.*

732. With reference to your department, you tell me that there are two classes of license, one of 2*l.* 6*s.* and the other 5*l.* 15*s.*; what check have you that people take out the proper licenses in those respects?—We have a much more complete check and means of control with regard to the license duty, than we have with regard to the plate duty because it is open to any informer or to any officer of the Inland Revenue all over the country to go and buy an article, if there is a suspicion that any shopkeeper has not got the proper license, and to lay an information upon which he may be prosecuted. As a matter of fact, there are numerous prosecutions against small dealers for infringing the law with regard to licenses of that kind, as well as other licenses.

733. Your evidence is that you are successful financially in making a discrimination between the two classes of licenses?—Every opportunity is taken by the officers whose duty it is to watch these matters, to make purchases from suspected parties, with a view to laying informations.

734. With reference to watch cases, you are aware that they are obliged in the case of English made watches to be marked with a hall-mark for which a very small sum I believe is paid; in a financial point of view it is not worth regarding, but that is so that all English gold watches are obliged to be hall-marked?—Yes.

735. You do not see any financial reason for continuing that practice. I apprehended that the amount gathered from that arrangement is not of any moment?—As watch cases are exempt from duty it does not affect the revenue at all.

*Mr. Hamond.*

736. You say that you have better means of putting in force the question of licensing than of duty, inasmuch as you have informers going about the country; has not it been put in force very arbitrary in some cases, inasmuch as even booksellers have been brought up as infringing the law for selling even a small thing like a pencil case without a license, although he may have bought it from people who have paid licenses?—I am not aware that there have been any complaints of hardship with reference to that.

737. I am not asking you whether there have been complaints, but whether you are not aware of such cases?—No.

738. You say that informers go about the country, and that it has never come to your knowledge that even booksellers have been summoned before the magistrates for selling simple articles like pencil cases, which they have bought in a wholesale way from a man who has paid the license for them?—I cannot give you any precise information with regard to the licenses, for that

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*Mr. Hamond*—continued.

is a branch of business which does not fall within my own knowledge.

739. Only you said that you had greater means of ascertaining with regard to the licenses than to the duty, and I naturally thought that you had some information upon that point?—I only wish to convey as a matter of fact that we have occasional informations of evasions of the licensing duty, and that there are a certain number of prosecutions against persons for selling without a license.

740. Have those prosecutions been against people regardless of their trade, or even against persons of the character of booksellers?—I cannot tell you; that has come within my knowledge.

741. You do not know of the existence of any such cases?—No; that belongs to the excise duty which is not within my cognisance.

742. I am speaking of licenses, and you say that you have better means of ascertaining the fact of people evading the duty with reference to them; do you think that if a total repeal were to take place it would stimulate the silver-plate trade, or would not it equally stimulate the electro-plate trade?—I have no means of telling except as a matter of opinion. I should think that the repeal of the duty would be looked upon by the public as the removal of a certain safeguard which they believe they have now.

743. In what way would it be a safeguard, inasmuch as silver-plate has to be stamped without reference to duty?—The public probably attach more importance to the duty mark than it really may deserve. I can conceive that people looking to the mark upon the plate which they are buying, and seeing that it is completely marked with all the marks both of the assaying and of the duty, believe that the Government have some kind of control over the assaying, and that as the Government are concerned to the extent of the duty, so they are also concerned to a certain extent in guaranteeing the quality upon which the price may be in some measure dependent.

744. Is not the quality totally irrespective of the price of the article or of the duty paid upon it; the hall mark does not give notice to the buyer, that that spoon or that article has paid duty; it only says that, it is a certain standard of silver fixed by law?—I believe that that is the understanding upon the part of the public.

745. Then if the hall-mark is upon any article of silver plate, it only shows that that article contains the amount of silver as fixed by law; it does not follow that it has paid any duty?—Certainly not.

746. With regard to watch cases, do you think that it would stimulate the industry of the English watchmakers if this hall-marking, which I believe is fixed at 18 carats, or whatever it may be for watch cases, were done away with, and no hall-marking were to take place, inasmuch as no duty is payable upon watch cases?—I am not sure that it would not prejudice the English trade.

747. In what way?—It might lower the reputation of the English manufactures.

748. Do you think that it is likely to lower the reputation of English watches by compelling the domes to be of gold of a certain standard, as well as the cases, if they have to compete with foreign watches which are similarly stamped as to the case, and are not compelled to have a gold

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Mr. Hamond—continued.

dome; would not it be more likely to prejudice the trade by this description of foreign watches being sold as English watches which are not English?—I have always understood that considerable importance was attached by the public in this country, and no small importance also by foreigners, to the advantage of the English mark on plate.

749. Do you think it would be advantageous to English watchmakers to be placed upon an equal footing with the foreign manufacturer who sends his watches to this country, if the Englishmen were allowed to have a dome of any material that he liked, and were put upon a par with the foreigner?—I do not see how that would be an advantage to the English maker.

750. It would not make the watch cheaper of course?—I do not see who is to be the gainer; it is entirely a matter of opinion.

Mr. Goschen.

751. Have you given attention to that particular branch of the subject?—No, I have not.

Mr. Orr Ewing.

752. From the evidence which the Committee have had before them, it is quite evident that the silver trade is not in progressive condition in this country?—I do not know that such is a necessary inference from the returns of the duty, because there may be a great deal of silver used in articles which are not subject to duty. The fashion has been lately to use silver ornaments very largely. Silver jewellery has superseded gold to a certain extent as a matter of fashion, and therefore a great deal of silver is used, and manufacturers and trades may be doing as good a business, although there is no evidence of any increase upon the duty.

753. Upon the articles which are manufactured and upon which duty is charged, there is no increase?—No.

754. You stated, did you not, that you had reason to believe that the condition of matters is due to the great development of the new trade of electro-plate?—Yes, and also to the fact that gold and silver articles do not perish; spoons and forks are handed down in families, and the quantity has accumulated, and does not go out of existence.

755. But, I presume, that that argument might have been stated 50 or 60 years ago; we know very well that in former days the quantity did increase very much, as you stated in 1825, when the duty was 120,000*l.*?—Yes, in 1825; but that was an exceptional year, and the increase was attributed, I think, by those who have written upon the subject to the speculative mania of that period.

756. But, at the same time, that is the condition of this business in this country, and we have evidence before us that the silver trade is in a very prosperous condition in America, that one manufacturer employs 800 men, producing as much silver plate as all the manufacturers in Great Britain; are you prepared to give me an opinion as to the cause why this trade should be so prosperous in America, and so stagnant in this country?—I do not see how I can give an opinion upon that subject. My own opinion would be that it arises from the different circumstances of America; that the Americans are ostentatious people, who are likely to go in for

Mr. Orr Ewing—continued.

expensive articles in gold and silver in proportion to their increasing prosperity, and there would be different motives at work in America which do not exist here for such an outlay.

Mr. Courtney.

757. You do not think, do you, that there is much evasion of the plate duty?—We have been constantly told that there is a great deal of evasion, but we have no means of discovering the truth of it. The protection of the trade is rather a matter in the hands of the Goldsmiths' Company, who have, I believe, extensive powers of inspection and visitation of manufactories and works where, if there were any malpractices going on, it might be possible to discover them. The Board of Inland Revenue have no such power; the power of the Board of Inland Revenue is strictly limited to an inspection of the accounts, and to such an examination as their officers may be able to make with the view to satisfy themselves as to the truth of the quarterly account which is rendered by each assay office; but we have no means of knowing how much plate may be improperly marked, or how much plate there may be that is made which is not marked at all, but which ought to be marked.

758. But you have received numerous suggestions of evasion, have you not, from time to time?—We have every now and then information brought to us by private persons that there are evasions going on, and we are told that the only way in which any discovery could be made of the truth with regard to those evasions would be through the workmen who are employed by those fraudulent manufacturers; but it is very difficult, indeed, to get such information, because unless the man who gave information of that kind were to be provided for he would be ruined. He would lose his business, and lose his means of livelihood; and a man would require to be very highly compensated, and to be well taken care of afterwards, before he could put himself into the position of informing against his employer.

759. I understand you that there might be a good deal of evasion without a reasonable chance of detecting it?—Yes; I can only say that the descriptions of evasion which are alleged to exist now are similar to those which were alleged to be in existence 50 years ago, when a quantity of evidence was taken by the Committee who then inquired into the subject. Evidence both of practical silversmiths and the then authorities of the Goldsmiths' Company was taken in 1828, and that evidence was printed in a Parliamentary Paper.

760. Is evasion supposed to be done by the forgery of the marks or the transfer of the marks?—I believe the more common allegation is that the marks are transferred since the rage has come in for old plate.

761. But that can only be to a very limited extent when they want to forge an appearance of antiquity?—The object would be to enhance the value; I think no one can look at the duty marks and other marks upon plate without seeing that even in new plate those marks are so obscure very often that it would be very easy to imitate them. I really do not know how many imitations there may be.

762. With respect to the duties of the seller; you

Mr. Courtney—continued.

you explained to the honourable Baronet, Member for King's County, that there are easy methods of determining whether a man is selling plate without a license at all, but how do you check whether a man is selling more plate than he ought; whether having the lower license he is selling a larger quantity?—Simply by an officer going and purchasing an article of a certain weight. If he purchase an article which is beyond the weight for which the man is competent to sell with the lower license, of course he is infringing the law.

763. Would he go into the shop and look about for the biggest bit of plate that is on sale?—Of course such proceedings would be generally taken where there was ground for suspicion or some information. The excise officer knows who are licensed and who are not; he hears that people are dealing in those articles although they are not licensed, and it is his duty to go and see whether it is the case or not.

764. Supposing a man has paid 2*l.* 6*s.* for a license, and he is selling larger pieces of plate than that license will warrant, how would that be found out?—The officer could discover that by buying a large piece of plate; he would select a piece which would suit his purpose to found a prosecution upon.

765. Are prosecutions of that kind numerous?—There were perhaps 10 or a dozen in a twelve-month.

766. But are the other prosecutions much more numerous for people selling plate without any license at all?—I think on the whole we have not had any large number.

767. The duty on silver plate is about 30 per cent. on the value of the raw material, is it not?—It is only 1*s.* 3*d.* per ounce to the manufacturer, on account of the drawback.

768. The receipts from the license duties, I think, are about half as much as the plate duty?—Yes.

769. Have you ever considered what proportion these license duties bear to the trade in silver to the actual amount sold; what percentage on the trade does it represent?—It must press unequally because it is a uniform license, and a small man has to pay as much as a big man.

770. Supposing we take the average; if it is just half the plate duty it would represent 18 per cent. on the plate manufactured in the course of the year, and you are saddling the dealers with a duty of 18 per cent. on the cost price of the material which they sell; would not that be so?—You could hardly estimate it by any average, I think.

771. But supposing you did take the average, would not that be about it?—Of course there is no means of telling at all what relation the duty bears to the profit which is obtained by the sale of the articles.

772. It is clear, is it not, that the duty would bear a very much larger proportion in the case of a small dealer?—Yes, that is the case with all trade licenses.

773. You can conceive a case where the duty paid was absolutely 100 per cent. upon the profit that he made?—I should think that all trade licenses would have the same effect of pressing unequally upon small traders.

774. If we have got this average which I have said, the pressure upon the small trader 0.117.

Mr. Courtney—continued.

would be something enormous?—I cannot answer that question.

775. The hall-marking and the receipt of duty are two theoretically distinct operations, and even if the duty were abolished the hall-marking might be continued, might it not?—Certainly.

776. It existed before the duty was imposed? Yes, long before.

777. On the other hand, hall-marking might be abolished, might it not, and the duty retained?—I do not know how the duty would be levied in that case.

778. You might have different machinery for collection, but it is conceivable that hall-marking might be abolished and the duty maintained, in the case of watch cases and other things that must be hall-marked, and upon which no duty is paid, it would be a decided boon to the manufacturers of those articles if the hall-marking was abolished, and if the duty was retained?—Or it might be the other way.

779. But it would be a boon if that were done, and the Exchequer would lose nothing by that process?—It is difficult sometimes to say why certain things should be exempted, and others not.

780. The Exchequer clearly would lose nothing if the necessity of hall-marking were abolished in respect of the manufacturing of those articles upon which there is no duty paid?—I am not sure how it would affect the general interests of the revenue.

781. In that case you suggest that there would be only a loss to the trade, because the hall-mark is a guarantee of the quality of the material to which the purchaser looks?—Yes; and therefore the material would be depreciated in the estimation of the public.

782. Supposing hall-marking were left optional, if your reasoning was sound, a dealer would go and have his goods marked because he would get a corresponding benefit in the market, and if your reasoning was not sound, he would not have them marked; have you any objection to that course?—It would depend, I think, very much upon the confidence which the public might have in the efficacy of the process of assaying, and the mode in which it was conducted. If the business of the assay offices were generally conducted in the loose way in which it was shown on a former inquiry to have been performed, in many of the country offices there would be very little ground for confidence on the part of the public in the protection afforded by their mark; it seems to me that the association of the duty with the hall-marking may, to a certain extent, afford a sort of guarantee of the respectability of the assay.

783. I wish to fix your attention to this: there are certain articles which must be hall-marked, but no duty is payable upon them?—Yes.

784. Do you allow that the Exchequer has no interest whatever in keeping up that obligation?—So far as the produce of revenue goes.

785. But you say it is a protection to the public?—I think whilst the duty remains there should be some right of inspection.

786. But there is no duty in respect of those articles?—I mean whilst a duty remains on plate.

787. But it does not affect those particular articles in question; they have no duty mark; they

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they have only the hall-mark?—You are considering them apart from the rest.

788. Yes, so far as the Exchequer is concerned that obligation might be removed at once, but you say that the public are interested in keeping it up, because they get a guarantee of quality; what I wish to ask you to consider is this, whether it might not be left to the free action of the public without making it an obligation to mark; let the dealers go and have their goods marked or not, according as they found they had a better sale for them, whether marked or not?—The only advantage of the mark in any case would be the belief that the public have in the protection which is afforded them.

789. If that were a sufficiently good motive the dealers would go and have them marked, even though they were under no obligation to do so?—But I think that if the assay offices had the power of marking they should be subject to Government visitation and control, in order to afford the necessary guarantee.

790. As long as the duty was kept up that would be so, but do not you admit that the guarantee of quality, if that is really a good argument, is sufficiently secured by leaving the trader free; if you made a silver service, and you thought that it would sell better by having the hall-mark, you would go and have it put on; and if you did not you would not put yourself to that trouble?—Yes, provided that the public had the guarantee that it was *bonâ fide* hall-marked. The public appear to have had no protection as regards the country halls, because experience showed that there was no examination made of the diet: that there was no supervision made of the work that was done, and nothing to prove that they had really assayed the work which they had marked.

Sir Charles Russell.

791. The manufacturer or importer of electro-plate pays neither plate duty nor license, does he, provided that he confines his business to the making and selling of electro-plate?—In respect of electro-plate, he pays no license and no duty.

792. If in an electro-plated article the manufacturer put in a certain quantity of real silver, would you not require him to take out a license?—Yes, he would certainly be liable.

793. If some part of the fine work was made of real silver, could you come upon him then for license duty?—Yes; the case in the Exchequer to which I have referred the Committee points to the mixture of a certain quantity of real metal with a quantity of base metal; you look at the aggregate weight; you do not look at the weight of real metal as the turning point, with regard to the license.

Mr. Talbot.

794. Referring to the Report of the Committee of 1856, paragraph 6, it says: "Your Committee are of opinion that the practice of assaying is calculated to afford protection to the public against fraud, and ought to be maintained;" do I understand you to agree with that statement?—Yes, I entirely agree with that conclusion.

795. And do you also agree with the further remark: "And they regard it also as a convenient mode of collecting the revenue"?—Yes, there is no portion of the revenue which is more economically collected.

796. With regard to the revenue, I think we

Mr. Talbot—continued.

may take it that the receipts to the Exchequer from the whole of these duties and licenses are over 100,000 *l.* a year?—Yes; 120,000 *l.*

797. So far as your opinion goes, would you be in favour of the remission of that source of revenue?—No, I should not.

798. Then I suppose if I were to ask you a further question, whether, supposing it to be remitted, you have any proposition to make as to how it should be replaced; would you like to answer that or not?—That would be a matter for the Chancellor of the Exchequer to consider.

799. I have here a document, which I suppose may be trusted, which comes from the assay office at Birmingham, containing a long list of articles exempt from duty; I believe it agrees with the statement which you have put in, and I would ask you whether you can tell the Committee upon what principle those exemptions are framed?—They have been continued on from a very early period, and many of the terms that are used relate to matters which are obsolete now.

800. Take one instance only; rings are exempt, are they not?—Yes.

801. But wedding rings are liable?—Yes, they are specifically charged.

802. What is the principle of that distinction?—I cannot tell, unless it was that the one afforded facilities for marking, which the other did not; an ornamental ring could not be marked in the same way that a wedding ring is; rings are sent to the halls to be marked in a long strip of metal before they are made up.

803. I see at the end of the list of exemptions these words: "Things which by reason of their smallness or thinness are not capable of receiving the marks" are exempt; do you think that would be the principle upon which all those exemptions are granted?—Yes; I should think originally that the form and the description of the article was that which was considered in according the exemption, and the difficulty of the possible interference with the article itself.

804. Probably that distinction has long ceased to exist, and we may now take it that those exemptions are very arbitrary; would not that be your opinion?—I should think so.

805. Would it be better if the duty is to be maintained to reconsider these exemptions, and to have some intelligible principle upon which the exemptions are to be based?—I think so. It is difficult to see why a medal should not be stamped, because there can be no difficulty in stamping it on the rim; yet that is one of the exempted articles.

806. Perhaps then you will not object to answer my question in the affirmative; is there any reason why, if the exemptions are to be continued, they should not be continued upon an intelligible principle?—I certainly think if there is to be any legislation the whole of the exemptions should be reconsidered and adapted to the present time.

Mr. Bates.

807. And a duty levied upon everything?—I did not say that.

Mr. Talbot.

808. Gold wares which are not required to be assayed and marked, may nevertheless be assayed and marked voluntarily?—Yes.

809. And they are not thereby liable to the duty?—No.

810. But



*Mr. Talbot—continued.*

810. But as this does not extend to silver wares, on what principle is that difference made between gold and silver?—I do not know why that difference is made.

811. That again is an arbitrary distinction which might very well be removed?—Yes, I think all those points would be matters for consideration in framing any fresh legislation.

812. I take it that you have no objection to fresh legislation, only you do not see your way to the remission of the duty?—No; I think that assuming the duty to be continued, it would be most desirable that those 20 or more different statutes from the time of George the Second down to the present time, should be consolidated and put into a short and intelligible form.

*Mr. Goschen.*

813. Have you discussed the question of the policy of the Bill with your colleagues in the department, or do you represent your own personal opinion in what you have given us with regard to questions of policy?—I believe I may say that the authorities of my department are not in favour of the abolition of the duty.

814. And as regards the exemptions, what is their view?—The question has not been considered in detail with regard to what form the amendments of the law should take. Of late years the question has been in abeyance, practically since 1871.

815. Have you come here prepared to give official evidence upon the subject of a change in the exemptions?—No, that has not been considered at all.

816. Then the evidence given in answer to the honourable Member is your impression at the moment in reply to the questions which he has put to you, without your having been able to give either official or personal attention to them hitherto?—I certainly have not considered the exemptions in detail at all.

*Chairman.*

817. Supposing that this Committee were to report in favour of making hall-marking no longer compulsory but voluntary, and at the same time not taking away the duty, but leaving the duty as it at present exists, cannot you see any way of collecting the duty except through the hall-marking authorities; supposing that were to happen, would the Inland Revenue give it all up and say that they could not collect the duty at all, or do not you think that they would find means for collecting the duty?—I do not see how the duty is to be imposed in the shape of a stamp. You might have a revision of the license duties, and you might have additional duties to compensate in that form, but you could not have the stamp duty continued, unless in association with the hall-marking and assaying. The Government would have no machinery for it.

818. Supposing it was considered that the 100,000 *l.* a-year which the honourable Member for the University has referred to were maintained, do not you think that you would find ways and means of getting it without resorting to the hall-marking authorities for it; you remember when there were excise duties on many articles, do you not?—Yes; there have been many remissions of the excise duties.

819. You remember when a very large number of articles were subject to excise?—Yes.

O.117.

*Chairman—continued.*

820. And you used to collect the duty then without much difficulty?—We collected the duty on excisable articles then as we do now, by having an active constant supervision. The duties of the excise necessitate an active personal supervision for the protection of the revenue, and it is that which is wanting, and which it would be very difficult to apply to the case of the manufacture of gold and silver plate; it would require an expensive staff disproportionate to any result likely to be obtained, and it would be regarded perhaps as vexatious by the trade to be subject to the supervision and control of excise officers.

821. Could not you rely upon returns to be made by the manufacturers and dealers, and would not that be a simple plan?—I am afraid we could not.

822. Supposing you did away with the license duty, the hardship which you yourself have suggested, and, instead of the license duty and the ounce duty connected with hall-marking, you levied a tax on the trade done in gold and silver, would not that be possible?—But then the question would arise, on what basis is it to be charged.

823. On the amount of transactions on the amount sold or manufactured?—That would be regarded as an additional income tax.

*Mr. Thomson Hankey.*

824. The same as with brewers?—But the transactions of brewers are watched by the Excise officers.

*Chairman.*

825. There would be a difficulty at all events?—Yes, great difficulty.

*Mr. Hamond.*

826. In reply to a question which the honourable Chairman has put to you, that if this Committee were to report that stamping should be voluntary while the duties took place, how would you collect the 100,000 *l.* that has been alluded to, that 100,000 *l.* would not be so jeopardised as all that, because it would merely be the duty upon the silver that you would have to look after, inasmuch as the other being an excise license, the Excise could as easily see to the license then as they can now, could they not?—I thought that the proposal was to forego all duties. I thought that was the suggestion.

827. The Chairman's question was, supposing that the hall stamp be no longer compulsory but voluntary, and the Committee were to report in favour of the repeal of the duty, how would you propose to collect the 100,000 *l.* a year which you say you receive from both the license duties; then I ask you, you would only have to take measures to collect the 43,000 *l.* a year which you receive from the silver duties, inasmuch as the license is totally an excise matter?—£. 40,000, or 42,000 *l.*, is the present amount of license duty.

828. Then there would be no more difficulty in getting it then than there is now, because it is an excise duty?—Yes, that is so.

829. The only difficulty would be in getting the duty upon silver from the halls which you now receive?—Yes; 80,000 *l.* a year is what we now receive.

830. Upon which you pay one per cent. for collection?—

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Mr. Hamond—continued.

collection?—Yes. Perhaps I may be permitted to say that I did not come prepared to give any particular information on the subject of licenses.

Mr. Hamond—continued.

The subject of licenses being an excise duty is not one within my own particular cognisance as the plate duty would be.

Mr. JAMES M. GARRARD, called in; and Examined.

Mr.  
Garrard.

Chairman.

831. ARE you connected with a firm of goldsmiths and silversmiths, of considerable experience in the trade?—Yes, I have 28 years experience in the manufacture and sale of gold, silver, and jewellery.

832. What is your firm?—R. and S. Garrard & Co., goldsmiths, goldsmiths to the Crown, 25, Haymarket.

833. You have probably heard Mr. Watherston's examination?—I heard the greater portion of it.

834. The topics upon which he dilated were two: first, the effect of the duty upon the trade, and secondly, the effect of the law of hall-marking upon the manufacture, so that perhaps you will be kind enough to follow him in that; first of all I will ask your opinion upon the effect of hall-marking?—I think my opinion is in accordance with the majority of the trade, that speaking of the hall-marking in London, at the Goldsmiths' Company, the system pursued by them is as nearly perfect as possible, and that it is desirable that that system of hall-marking should be enforced most rigidly, and even if possible more so than hitherto upon all articles of gold and silver manufacture, because the mark is of considerable value not only to the public as being a guarantee of the quality of what they are buying, but it has a considerable value to the trader who now, within my experience, I should say deals in at least five times as much second-hand plate, that is, that there is over five times as much second-hand plate in the London stocks as formerly. The hall-mark is an indication to us of the value of an article, even if it is only fit to be melted; and, consequently, all those who are trading largely in manufactured articles attach considerable value to it.

835. Would not the results which you have mentioned be just as much obtainable if the hall-marking were voluntary as under the present system when it is compulsory?—I do not think so at all, not one-half the value.

836. Would you say why not?—The system is directed, as I take it, against those who are inclined to evade such regulations, and those who now would be willing to evade them would be those who would be willing to adulterate or rather to make use of a lower quality of material. I do not think that a voluntary system would have the same result. If we look back at the time when the law was in a somewhat troubled state in England, before the operations of the Goldsmiths' Company at the restoration of Charles the Second came into working order again, we find that there is an immense quantity of English manufactured silver of that period in this country that bears no mark whatever. So I assume that at all times there is a tendency to evade a regulation, by the evasion of which profit could be made.

837. You say, first of all, it is an advantage to the dealer, and secondly an advantage to the public. Referring to the dealers, you, as a manufacturer and dealer, would be able to test

Chairman—continued.

yourself the value of gold and silver, would you not?—I could not do it in an auction room.

838. But you could in your own trade?—Yes, but I would buy any quantity of silver of you with the mark upon it in three minutes; but I could not assay it in that time; I should have to ask you to come to-morrow.

839. Then with regard to the public, the suggestion is that the ordinary purchaser buys, on the credit of the dealer to whom he goes?—To a great extent that is so, but a dealer, the man who deals, sinks all that, he looks to the article he is buying.

840. What do you mean when you say a dealer?—I am a dealer as well as a manufacturer; I buy largely second-hand goods, as well as manufacturing new.

841. And you buy from all sorts of people, people you know, and people you do not know?—No, I never buy of anybody I do not know; I could not do that.

842. Then what is the protection of the hall-mark?—I buy on the hall-mark, for two reasons, first, that it gives me the quality of the article, and secondly, that I cannot deal in anything that has not got the hall-mark; at the present time legally I cannot, nor do I.

843. Then just to give your answer to what is put in favour of the other view, you are aware that there are many articles of gold, certainly, which are not compelled to be hall-marked?—Yes.

844. Take, for instance, a gold watch chain?—I think you had better take the date of the Act at which those exemptions were made, and consider at that date what was the class of chain made. The class of chain was a light chain that would collapse under the punch, and such could not have been marked; that was the general class of chain. If you possibly in your family have an old chain, which is the class of chain that your father or your grandfather had, it is a chain that is unlike those of the present day.

845. My question is this, have I not just as great a certainty that a chain that I buy now from a respectable place which is not hall-marked is good gold as I would have if it were hall-marked?—If you are dealing with a man whose word you can take, of course you have.

846. You say there are articles which are not hall-marked?—You allude to articles which are exempted, and I said there was good reason for the exemptions of those articles at the time the law was made; I did not say that they should all be exempt now.

847. You would be against any exemptions?—I am against the exemption of any articles that can be properly assayed and marked.

848. Do I not, in buying a good watch and chain, if I buy it from a respectable dealer, buy it with just the same certainty that it is genuine, as I do if it was hall-marked?—That is a matter for you to decide, according to the man you are dealing with. If you had implicit confidence in your



*Chairman—continued.*

your goldsmith you are bound to take his word that it is 18 carat or 22 carat, if he made it; but if he bought it he could not tell you without assaying.

849. You know that jewels are not hall-marked at all?—Under the name of jewellery we rather accept things even that do not have stones set in them. There is gold jewellery and silver jewellery now-a-days.

850. And is your experience as a dealer that mischief results to the public from jewellery, as you call it, being exempt from the necessity of being hall-marked?—My experience is that I cannot buy a lot of old gold jewellery from you with any degree of certainty as to its value without previously assaying it.

851. How do you deal with diamonds, emeralds, and precious stones, in general?—That is a matter of experience and long practice.

852. There is no possible assay for those?—All you want there is long experience, knowledge of the market, good eyesight, and to be able to compare. No man ever buys a diamond offhand if it is shown to him in his own place, unless he compares it with what he has, and knows to be of fine quality.

853. Then of course the public only buy diamonds on the faith of the dealers?—Yes, exactly, and very often they are taken in.

*Mr. Bates.*

854. But dealers are sometimes taken in, are they not?—There are lots of dealers that do not know the value of them.

855. For instance, in the case of sapphires?—Yes.

*Chairman.*

856. Have you experienced in your business any inconvenience from having to send your work to be marked?—No; I have experienced no more inconvenience than might be anticipated when you look at the immense amount of work that is done by the officials of the Goldsmiths' Company. We do occasionally experience a slight delay, but I generally find that there is a reason for it; I rather find the officials inclined to assist me than to thwart me.

857. The evidence is that the charge for the hall-mark is not excessive; do you agree with that?—Yes, it is very small.

858. Have you ever known any damage occasioned to plate manufactured by you from scraping the assay or other purposes of assaying?—Of late years none at all, nor even by affixing the mark. I mention this particularly because you received from Mr. Watherston an intimation that the Goldsmiths' Company had defaced a piece of plate by affixing their marks in a conspicuous manner, and in a manner that rather interfered with the design of the work. It is the custom of the manufacturer to strike his own registered punch upon the work previous to sending it to the Goldsmiths' Hall, and the authorities at Goldsmiths' Hall see where that punch is struck, and they take it that it is his wish that the other marks should be affixed in the same place as his mark. That rule, I believe, so far as my experience goes, has been invariably followed, and of late years I have not seen a case in which there has been any fair ground of complaint.

859. Would you say the same thing about the scraping?—Yes; I do not think that the men whom they call drawers would ever scrape over 0.117.

*Chairman—continued.*

a piece of delicate ornament. They select always a plain surface, the whole work being sent in an unfinished state; either the inside, or some of the plain parts, offer facilities for the purpose, and they take scrapings from several places without damage.

860. So far as your personal experience and knowledge go, there is no complaint to make of the manner of hall-marking?—None whatever of the way in which the business is conducted.

861. Do you know what system is employed in France?—At the present time the system of assaying manufacturers' work in France is precisely that employed at Goldsmiths' Hall. The work is scraped, an assay made, and the comptrol stamp afterwards affixed.

862. Mr. Watherston referred to some other means of testing which he considered better; are you acquainted with that?—Yes, there is a system of touch, the work being rubbed upon a touchstone, and acid applied to it, and a man who has had a great deal of experience of that test would be able to form a nearly accurate opinion as to the fineness of the article; but it is not usually employed in France, it is not employed by the Mint, it is employed, so far as I know, by the travelling inspectors, men who attend every possible place of sale, and even control an article in an auction room.

863. Then as I collect, the principal influence of the hall-mark is as a guarantee of the authenticity and value of the article?—Yes.

864. Now, passing to the duties, what is your opinion on the incidents of the present duties?—My personal opinion is that a duty will make little, if any, difference to the trade whatever if retained or remitted; 28 years ago I might have held differently, but the nature of our business has with the times entirely changed, and if I may be allowed to say, these statistics that have been handed in to you and upon which you gentlemen are asked to form your opinion as to the decadence of our trade, and which are put forward for you to form an opinion upon, are a very false basis. The number of ounces worked up can no longer, in the changing state of our trade and the changing everyday demand of the public, be taken as a guide, as formerly; I can give you most undeniable statistics out of our own books. I cannot speak for everybody; the whole amount of silver that we manufacture is less than formerly, but the cost of working it up is nearer double than formerly. We make no heavy articles, as compared with former years; articles are much more numerous, much more highly finished, and, of course, sold at a much higher rate per ounce; so much so, that the duty becomes but a very small portion, or forms a very small per-centage of the whole cost of an article when finished.

865. Still the fact remains that so many ounces only have paid?—Exactly so, but the profit on the manufactured articles has paid income tax which is considerably in excess of former years.

866. The amount of raw material manufactured must be established by the amount of duty which is returned?—Exactly; but I maintain that the inference is not correct in this way: What is the average price at which you take a given date? Take the date, we will say, of 1848 or 1849; a manufacturer's ledger in our trade would show that the silver wrought by them would be, upon the average, say, 3*s.* 6*d.* an ounce

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ounce fashion upon the total weight that they work up. My experience now is that manufacturing somewhat less the amount paid in workmen's wages is nearer 10 s. an ounce.

*Mr. Goschen.*

867. Silver articles are lighter, and you manufacture a large quantity of silver articles with the same amount of silver?—Yes, unquestionably 10 times as many.

*Mr. Bates.*

868. And more expensive to work?—There is more work; it is more delicate work, and more labour is expended upon it.

*Chairman.*

869. Then to what do you ascribe the fact that while the whole trade, population, and wealth of the country have increased, the amount of silver annually worked has not increased if it has not actually diminished?—To the changing nature of the demand for these things, in the first place, and, secondly, to the growing prevalence of the use of electro-plated wares; and I think that those two facts, if clearly put, will establish the reason why the raw material worked up is not so great: I have no doubt that possibly the honourable Member will carry back his mind to the period when electro-plating first came into use, when Elkington's patent was first in a working state, about the period of 1842 to 1844. Electro-plate then was not very general, but it gradually crept into use; and when you look to the table, which I believe you are to have from the Board of Inland Revenue, the number of ounces, or rather the amount derived from the working of this number of ounces, gradually decreases or fluctuates, and I think that may be ascribed to this fact, that many people, starting establishments, rather than pay for plate, such as silver spoons, forks, and silver dishes, purchase them in electro-plate. The love of appearance and ostentation, we may say, has become more general, even in the last 25 years. There is a great deal more show made for a great deal less money, and hence I attribute the gradual increase in the adoption of electro-plated ware, and the decrease of heavy articles in silver.

870. Are we to understand that your own view is in favour of the retention of this duty?—The duty to me is immaterial. I do not see any good in taking it off. Of course it is a matter which must be looked at in more lights than one. There would be a considerable amount of drawback to be paid, and considerable notice should be given before the law is changed, because it would affect the value of your plate as well as it would affect the value of my stock in trade, especially my second-hand stock in trade.

871. Mr. Watherston told the Committee that the large men of large houses, which I presume would include your own in his idea, are in favour of the retention of this duty on the grounds which he attributed to you. I ask you whether he is right in saying that you are in favour of retaining it?—He must be right to a certain extent. I hold a very large stock of second-hand plate, and if you take off the duty without giving me notice, and giving me time to realise the second-hand plate, you will depreciate its value, because spoons and forks especially could be manufactured for less money than I have

*Chairman—continued.*

paid for my second-hand plate; it is a trade question in so far as that is concerned.

872. But would not the manufacture for the future be stimulated, to some extent at all events, by the abolition of the duty?—I doubt it. I take the tendency and the position of men who are customers of my house now. Lots of men who can very well afford to buy silver spoons and forks insist upon having electro-plate, because the responsibility is less, and the loss is less in case of robbery.

873. I cannot understand how you can suggest that the consumer would prefer paying the duty as well as the cost of the raw material?—I do not say that he would, but I say I do not believe that it will make much difference; there are but one or two or three articles in the trade that in my case would be materially affected by the remission of the duty; those are the heavy articles, with the most silver and the least work in them, such as silver table-plates, spoons, and forks.

874. Are we to understand that, in your opinion, the removal of the duty from articles of that kind which most nearly compete with electro-plate, would not stimulate trade?—I doubt it; and you can form your own opinion from this fact: if you were contemplating buying some silver table-plates which would cost you 120 l. a dozen, would 15 l. make any difference to you, and would that decide you whether you would buy them or not?

875. Take the article you have just now named, a silver spoon or anything of that kind, what is the proportion of raw material, how much is duty, how much labour, and how much profit?—You may estimate what the profit is yourself; take the case, say of a tablespoon, weighing 36 to 40 oz. the dozen; say, for the sake of argument, it is three ounces; you may put three ounces at the present price of bullion; we silver-smiths pay rather higher, because it has to be prepared for us somewhat better than the standard in order to guard against risks; say 16 s. is the cost, 4 s. 6 d. the duty, and the labour about 3 s. 6 d., making 24 s., so that it is produced at a labour and cost of 60 per cent. of the value of the metal in the first instance.

876. Of course as the proportion of artistic work and labour increases so the rate of duty diminishes?—Yes, as the price increases, the duty bears a smaller ratio to the value of the article.

*Mr. Campbell-Bannerman.*

877. Could you give any average of each article?—No, it is impossible; we make some things that cost 3 l. an ounce to make, and some things that cost 1 s. 6 d. an ounce.

*Chairman.*

878. Take a baby's silver cup; what would that be?—You may take them from three to 10 ounces, according to the class of article. A plain can would be in the ratio of four times as much as in the case of spoons.

879. Presuming the duty on silver and gold to be abolished, do you consider that the present system of marking could be retained either compulsory or voluntarily?—I have almost answered that; but I should say there would be a difficulty in either. The honest trader would not evade a regulation, whereas those inclined to be dishonest would always evade, and consequently you

*Chairman—continued.*

you would, to a certain extent, have a difficulty, and place the two men on an unfair footing for purposes of competition.

880. But there would be no legal difficulty in retaining the hall-mark without the duty?—I think you will find that when the system of marking is separated from the collection of the Revenue, it will not be kept up with the same force and the same spirit as at the present time.

881. You are aware that watch cases have to be hall-marked, that they are hall marked every year in thousands, and no duty is payable upon them?—Yes, perfectly; but then they represent a very small portion of the trade of the country.

882. You are also aware that hall-marking obtained for hundreds of years before the duty was enforced?—But very imperfectly.

883. Would the trade generally prefer their work assayed and marked by a public office, such as the Mint, in preference to having it done by the Goldsmiths' Company?—I think that the present system is preferable, because most of the questions have to be settled by the officials; but beyond the officials we always have the wardens if there are questions of dispute. In a Government office we should never have a third party to appeal to; we should be sat upon at once. There is no appeal from the decision of any Government Department.

884. I apprehend that your own experience is confined to the London office?—Yes, to the London office entirely.

885. You have no knowledge of what happens in certain other offices in the country?—Only by hearsay, not by any direct evidence.

886. It is suggested that having regard to the rebate of 3 *d.* allowed by the Government for unfinished plate, the manufacturer who manufactures to a large extent makes a profit of 2 *d.* on that allowance; what do you say to that?—I do not think the statement can be borne out; any large manufacturer who would care to produce his duty book at the end of the year, and show you the amount calculated at 1 *s.* 6 *d.* an ounce, would prove that that is an exaggerated statement. I take my own house because there are some classes of work, more especially that class which is gradually dropping into disuse, say a flat dish or a waiter, that I make no profit on; if I send it in a fairly unfinished state, I certainly do not make one halfpenny out of the rebate when it is finished. The loss in finishing all flat work is much more than, without experience, anybody can appreciate.

	£.	s.	d.
Unfinished plain pint mug, oz. 9. 8. Paid duty	-	-	11 10
Finished pint mug, oz. 8. 6. Duty at 1 <i>s.</i> 6 <i>d.</i>	-	-	12 5½
			- - 7½
Unfinished waiter, oz. 15. 15. Duty paid	-	-	19 10½
Finished waiter, oz. 13. 12. Duty at 1 <i>s.</i> 6 <i>d.</i>	-	1	- 7½
			- - 9

887. You think that 3 *d.* does not more than cover it?—It slightly more than covers it; on other articles I believe generally that the manufacturer does make a small profit, but not as stated; but at the same time I believe it was always the intention that he should do so, inasmuch as he pays the duty long before, in 0.117.

*Chairman—continued.*

many instances, he recoups it again; it is a sort of discount, as it were.

888. I do not suppose that anybody ever suggested that there was any harm in making a profit upon it?—It is unquestionable that there is a slight profit, but that profit is not appreciable to the extent of 2 *d.* an ounce.

889. Have you had any experience in the export trade?—Yes, I have had considerable experience both in France, Germany, and Russia.

890. Is much exported?—Of course my experience is rather in the higher class works. Some years we export considerably, occasionally to the extent of from 2,000 *l.* to 3,000 *l.*, and even sometimes to the extent of 8,000 *l.* or 10,000 *l.* at a time, and amongst the class with whom I do business abroad I must say that the English plate is held in very high estimation; not as you heard from my competitor in the trade, I say that English silver plate ranks before any other plate. The useful and fairly ornamental modern English plate ranks higher than the plate of any other country in the world. The statistics will show that the exports are rather more than the imports.

891. Have you any idea of what quantity of English plate is exported?—You may take it, I believe, that the drawback claimed on exportation varies from 8,000 *l.* to 10,000 *l.* a year.

892. How many ounces does that represent roughly?—Something like 132,000 or 140,000 ounces.

893. What proportion does that bear to the imported plate?—According to the statistics that I have been able to obtain from the Customs, it is somewhat more. The revenue derived from the importation of foreign plate is shown by the Customs Returns as under 7,000 *l.*

894. You are aware, are you not, that all foreign plate that is imported is marked with a distinguishing letter?—I am aware that not one-tenth part of it is marked, and that is the great grievance that we have in our trade.

895. It ought to be marked by law?—Yes, but you see the operation of the law is imperfect.

896. The law is, that foreign imported plate is distinguished by the letter "F" put upon it?—If you will take the law from the Customs Act, the Customs take the duty, but the Customs and authorities at the Goldsmiths' Hall are not by this Act of Parliament brought into co-operation; this silver or gold, or whatever it may be, is at once released.

897. If you have got the clause before you, about the letter F, will you kindly read it?—It is the 30th and 31st of Victoria, chapter 82, clause 24, "All gold and silver plate which shall be imported from foreign parts, and which shall be sent to any assay office in the United Kingdom at which gold and silver plate is now or shall at any time hereafter be by law required to be assayed, and which, when so sent, shall be then assayed, tested, stamped, and marked, shall in addition to the marks for the time being used at such assay office, for the purpose of marking British plate, be marked with the further mark of the letter F on an oval escutcheon."

898. If it has to be hall-marked at all it would be marked with an F, but having paid duty, you contend that there is nothing to send it to the hall to be marked?—Nothing at all.

F 2

899. Therefore,

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899. Therefore, having paid a duty, it goes about without having a mark upon it?—Yes.

900. But it cannot get any British hall-mark unless it has an F upon it?—No.

Mr. Goschen.

901. So that you can always tell that it is foreign plate?—From my experience, I can always tell that it is a piece of foreign plate, but I apprehend that there would be very little difficulty in anybody removing that F, and selling you that foreign-made stuff as British plate.

Chairman.

902. Supposing foreign plate came to the Custom House with an imitation of the English hall-mark upon it, would they stop it?—They would now seize it under a recent power; five years ago they had not that power.

903. So that it results in this, that it is either unmarked or marked with an F?—Yes, it is marked with an F, and it must have the other marks as well, according to law.

904. At present foreign plate must have no British mark at all, or have it with the addition of an F?—Yes.

905. That does not apply to watch cases, does it?—I believe it does. I do not know any exemption that would exempt it, but I have no business in that line. Possibly you may find somebody who trades in it, who will give you definite information on the subject.

906. Have you any difficulty in obtaining the drawback on exporting silver?—None whatever.

907. Mr. Watherston referred to some practice of taking an article to pieces, and dealing with it in that way, and he complained of the packing of it; what have you to say with regard to that?—I think that that statement can scarcely be borne out. I have shipped all kinds of plate, and when properly applied for, I have received every possible facility from the Customs authorities, even to their sending their officer to weigh it at my own house, and allowing me to pack it in my own premises, and they could see it sealed, and put on the railway truck to the care of the chief officer of the Customs at whatever port it is going from. There is no difficulty whatever, providing a man knows his business, and how to go about it.

908-9. Is it a special facility which is given to your firm?—It may be given to anybody for asking it.

910. But you think that it cannot be a fair ground of complaint if a man does not understand his business?—Just so. If I have a large parcel of plate which is going to foreign parts, it is an object to be able to pack it on our own premises, where we have our own packers, and everything is handy; if the amount of duty warrants their sending an officer away for so many hours, the Customs will always send one if you apply in the ordinary way for it. They would send us down two men if necessary.

911. Is that the ordinary machinery, or is it an exceptional thing?—Not at all exceptional; it has been ordinary, so far as my experience goes, for the last 25 years.

912. Have you had any experience in the

Chairman—continued.

American trade?—I have had some little experience even since their prohibitive duty. We occasionally ship plate to America.

913. What is their duty?—Their duty is 25 per cent. *ad valorem*.

914. That is, plus the work, the raw material, and our English duty?—Yes, it is levied on the sale invoice usually. Our mode is to swear it before the American Consul in London.

915. You consider the American duty prohibitory, do you?—All but prohibitory; but still we do business with them occasionally.

916. How does the system which, as I understand, has neither standard nor mark to designate the quality of the gold and silver, work?—So far as my information goes, from people in the trade, it works indifferently. One or two Americans I have heard express a wish to have our system of marking; they speak of the difficulty in business. They say that they do not know what they are buying, and if they buy an article and want to sell it again directly, they are unable to guarantee the quality of what they are selling.

917. What is your own experience of the quality of silver in common use which is manufactured in America?—I have on many occasions taken it in exchange in London, and my experience is that it melts for about 3 s. 6 d. an ounce, at least, all that I have ever bought, and I have bought a great many parcels.

918. That means that it is much alloyed?—Yes, it is very bad.

919. How is it in point of workmanship?—It is only of recent years that the Americans have made any progress at all in the manufacture; I should say it is somewhere about 10 years ago that a great deal of spirit and energy was thrown into the manufacture of silver in America. At that time those capitalists took from London very many of our best hands, paying them an advance of cent. per cent. on the wages which they were making here. After a few years most of those men returned; and I have seen a great many works that were produced while they were living in America; a considerable parcel of those articles lay in bond here in London three years ago, and no dealer in London would touch them; I went to see them, but they were not good enough for me to buy, in point of workmanship, irrespective of the quality of the material.

920. What were they?—Ordinary ornamental plate.

921. Is there, so far as you know, any inland duty on plate in America?—No, I believe not; I believe it is entirely free.

922. We have already referred to the importation of foreign plate; what suggestion does the trade make for an alteration of the law with regard to the importation of foreign plate?—I believe that the trade on that point would be unanimous that nothing should be passed but silver, equal to the standard manufactured in this country, and that plate so passed should be stamped with a distinctive mark from our British stamp; and there are several reasons why.

923. Do you mean that the Customs should send plate to Goldsmiths' Hall, or other assaying office, to have it attested and assayed, before they receive the duty, or allow it to pass into the country?—Yes, certainly; as it is in France.

924. You

*Mr. Goschen.*

924. You mean that it should not be introduced at all unless it was equal to the standard?—It should be introduced through Goldsmiths' Hall, or whatever other body has the control of the standard of the country.

*Chairman.*

925. But unless it satisfies that test, it is to be prohibited altogether?—Yes, certainly; it should not be allowed to pass.

926. Would you say why?—For two reasons: many manufacturers who at present do not attach the same value to dates, know, that a certain value is attached to the mark on British plate, and that British plate abroad does fetch a somewhat higher price than French or German if sold in either country, and think it possible to re-export this foreign plate minus the letter "F," and sell it abroad, and bring it into competition with British wares abroad. That is one of the reasons; and further, it would also prevent any confusion by the public between two marks, because although the lion and the Queen's head is usually known to the public, the public would scarcely notice this letter "F."

927. I suppose you think one distinguishing mark sufficient?—We suggest that there should be one distinguishing mark, because it is known that if foreign plate is marked with our marks and the letter "F," it still may be taken by the British public as British plate; the F is not distinct enough.

928. You see there are two ideas there: first, you say that it should not be admitted at all unless it is up to the standard, so that if it is admitted at all the public would at least have a guarantee of the quality which results from the hall-marking?—Yes.

929. Then your second point is, that even if admitted it ought to be so admitted as to stamp foreign on its face?—Exactly.

930. Is not your reason for that based upon this, that the British Trade has, after centuries of hall-marking, obtained a great reputation in consequence of our domestic legislation, which many people say is oppressive, and that it is rather hard that other people should get the benefit of it when they have not been subject to the burden of it all those years?—Yes, I think that is one view, and certainly the only view that may be taken.

931. Is not that the view which the trade would entertain upon that subject?—Yes, the trade do entertain that view. We have established a reputation which we have given to everybody by putting our mark into their hands.

932. You see it is a protection in the ordinary sense, because there is a sort of internal duty on foreign plate at the Custom House?—Yes.

933. So that it is really a protection of what you consider a fraudulent imitation of your manu-

*Chairman—continued.*

facture?—We could hardly put that construction upon it, but it becomes so in practice. It is an unfair representation to the public.

934. The British hall-mark either means something or nothing. If it means something you want to keep it to British goods, and if it means nothing you do not want it?—Precisely so.

*Mr. Goschen.*

935. If it has the F on it, does not that mark it at once as foreign?—I do not think so. I think that even honourable Members of the Committee would scarcely look for the F casually. You would see the lion and the Queen's head, and you would find that mark enough to satisfy you.

*Chairman.*

936. Still you think that this descriptive mark should be of a more conspicuous size?—I do not think you require anything conspicuous. You require a mark to indicate that it has paid duty, because by another law dealers are not allowed to sell any foreign plate until it is marked by the authorities of Goldsmiths' Hall. That is another portion of the law which is largely evaded in respect of this foreign plate which comes in. It is imported by the foreign dealers, and even sold publicly in contravention of the Act, without any mark, and it is sold for what it is not. It is sold as old plate, the bulk of it being modern.

*Mr. Bates.*

937. What do you call foreign plate?—Anything that is not made in England, Scotland, or Ireland.

*Chairman.*

938. With regard to watch cases; have you applied your attention to watch cases at all?—I have very little experience in the watch trade, excepting in the best English watches.

939. You can perhaps give us no evidence upon the present state of the law as to watch cases?—I think you will find more reliable evidence at your command from men who deal in those things.

940. Have you anything to say about the practice of putting English names on foreign watches?—I was rather astonished at the assertion that was made that it was usual in the trade. I do not believe it to be usual for any British trader to put his name on a foreign manufactured article, thereby leading the public to believe that he had manufactured it himself.

941. Then your opinion of such a practice as that would not be favourable?—Certainly not. I should decline to do it if I was asked to do it by a customer buying watches. I would only put my name on an English-made watch.

*Mr. Garrard.*  
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*Monday, 1st July 1878.*

MEMBERS PRESENT:

Mr. Bates.  
Colonel Blackburne.  
Mr. Campbell-Bannerman.  
Mr. Courtney.  
Mr. Freshfield.  
Mr. Goschen.  
Mr. Thomson Hankey.  
Sir Henry Jackson.

Sir Joseph McKenna.  
Mr. Muntz.  
Sir Patrick O'Brien.  
Sir Charles Russell.  
Mr. Talbot.  
Mr. Torr.  
Mr. Whitwell.

SIR HENRY M. JACKSON, BART., IN THE CHAIR.

Mr. JAMES M. GARRARD, called in; and further Examined.

Mr.  
Garrard.

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Chairman.

942. SINCE the last meeting of the Committee you have no doubt been supplied with a proof of your evidence given last week; have you anything which you desire to add or to qualify what you said last week?—With reference to Question 834 in my evidence, I think I omitted one very strong reason why the present system of hall-marking is desired to be retained by the trade, and that is that it ensures fair play between all rival manufacturers, by compelling them to use the same quality of material. I think that a very strong reason for retaining it. In explanation of my answer to Question 872, I have drawn out a rough statement of the different costs of real silver and electro-plate in this way: The cheapest advertised price of silver spoons and forks of the king's pattern, the amount of the same less the duty, and the highest advertised price of electro-plated spoons taken from Elkington's list, which is fully 25 per cent. higher than anybody else's. For king's pattern spoons and forks advertised by Elkington, I may say that since I have drawn this out, I have been informed that Elkington's now have lowered their prices; the list that I took my figures from was a year or two old. I find that a dozen table spoons, a dozen table forks, a dozen dessert spoons, a dozen dessert forks, and a dozen tea spoons of silver are offered for sale at 54*l.* 7*s.*, deducting the duty from that, it would leave 43*l.* 11*s.* The highest price of electro that I can find for the same set of articles is 19*l.* 12*s.*; consequently it occurs to me that you do not bring the two things near enough together to ensure any competition between them. I have taken the same amount out as on plain articles, and the amount differs still more largely. Passing from king's pattern to threaded spoons and forks, five dozen in silver at the present price are offered for sale at 50*l.* 4*s.* 8*d.* with the duty; less the duty it would be 41*l.* 4*s.* 8*d.* The highest price for Elkington's best electro would be 14*l.* 15*s.* There are other electro-platers, whose work many houses sell even in preference

Chairman—continued.

to Elkington's at 25 per cent. lower. Then for plain work the same five dozen in silver would cost 37*l.* 5*s.* 2*d.* now; without the duty the price would be 29*l.* 13*s.* 8*d.*; and the same articles in electro-plate would cost 10*l.* 18*s.* For other classes of work I have just two other items which I should like to mention to the Committee. I have taken out the cheapest advertised silver tea and coffee service, large size, with engraved ornaments, and I find that a coffee-pot, tea-pot, sugar basin, and cream ewer, all advertised for sale at 51*l.* 10*s.*; less the duty they would be 45*l.* 14*s.* 6*d.* A similar pattern of the best plated ware would be 16*l.* 16*s.* Then for waiters I have taken out a whole list of 8-inch, 10-inch, 12-inch, 14-inch, 16-inch, and 18-inch waiters. The smaller size in silver would be 6*l.* 18*s.*; less the duty it would be 6*l.* The same pattern of heavy electro-plate advertised by the same house would be 2*l.* 8*s.* The large size, 18-inch silver, would be 46*l.*; less the duty, 40*l.*; and electro-plate 10*l.* 10*s.*

943. Are those quotations for the trade or for the public?—They are published, and I apprehend the public can have them at those prices. The prices of the silver goods I extracted from the "Times" newspaper, the most recent advertisement that I could find, and the prices of the others are extracted from pattern books, which are sent out by various firms.

944. With your own knowledge of the cost and value of those articles, the prices you have quoted for silver are more or less near the market price?—Yes, I drew them out in amplification of my answer that the reduction of duty does not bring the price of silver and electro-plate near enough to compete one with the other.

945. Looking at these figures, and they do not seem to me to run in the scale one would have expected, is the manipulation of silver more costly; that is to say, is it more worked with the tool as against being cast, or are they pretty much



*Chairman—continued.*

much the same?—Generally speaking the arrangements for electro-plated work are for much greater repetition than for silver. In body work, especially such as tea and coffee services, the system of working undoubtedly is different; it is entirely by hand, whereas a good deal of machinery would be used for the electro-plated work. Probably in this tea service that I have quoted, each body would be raised from the flat out of one piece of plate, whereas plated things would be turned up in cylinder, and merely shaped into form afterwards, which is, of course, a comparatively cheaper mode.

946. So that, practically, silver is the subject of more hard work and labour than the electro-plate?—Yes, it may be taken so generally. There is less repetition.

947. Is there something which you wish to add to your answer to Question 880?—With reference to my answer to that question, which was: "I think you will find that when the system of marking is separated from the collection of the revenue, it will not be kept up with the same force and the same spirit as at the present time." A good reason which I omitted from that is that any evasion of a regulation now involves a money fraud, as well as evasion of the regulation. It makes the law more binding when evasion is coupled with the commission of a money fraud. It occurred to me also that if hall-marking was but a regulation, at times of extreme pressure anybody would be inclined to evade the regulation to save time, whereas while it is coupled with the collection of the revenue, and evasion means defrauding the revenue, it is not so likely to be attempted.

948. What have you to say to Question 886?—That is with regard to the amount of profit which it has been stated that the trade make on the duty. On returning to my house I took casually two articles out of the showcase. One is a pint mug (*producing the same*), and I specially took a pint because there is no marking charged for that, and I found by my polishers, and silversmiths, and hall-book, that that identical mug was sent in an unfinished state to the Goldsmiths' Hall weighing 9 oz. 8 dwts., and the duty paid upon that was 11 s. 10 d. In its finished state it weighs 8 oz. 6 dwts., and the duty at 1 s. 6 d. per ounce is 12 s. 5½ d., so that the profit on the rebate made by the manufacturer (and the waste is one of the articles that is most carefully looked after) is under 1 d. an ounce, it is actually 7 d. on the whole article. That is a specimen of plain body work. The second specimen is an engraved waiter (*producing the same*). Our books will show in detail that that was sent to Goldsmiths' Hall weighing 15 oz. 5 dwts., and the duty paid was 19 s. 10½ d. It weighs now 13 oz. 12 dwts., and the duty upon that weight at 1 s. 6 d. an ounce is 17 l. 0 s. 7½ d., and the profit on the rebate is therefore 9½ d.

949. What has become of the difference in the weight?—It is partially polished off. You see that in removing the fire-marks, the pumice-marks, the brush-marks, and the various processes that it goes through, it loses a certain amount, and then it is ornamented. The engraving probably will cut out three or four pennyweights again.

950. Is that lost?—It is not positively nett loss, because all these things are looked after; 0.117.

*Chairman—continued.*

even the water in which the workman washes his hands is looked after; but still it is a loss on what we have paid upon, and it reduces the matter to a minimum. If I had troubled the Committee with a larger piece of work, as well as a waiter of this size, upon which the engraving is practically coarser and deeper, the loss in finishing would have been in an equal, if not in a greater, ratio. I bring these things simply to prove my statement that from one penny to one halfpenny on the rebate is nearer the amount that we make than 2 d.

951. That you think not excessive, considering that the Government get paid in advance and with greater facility?—I think not at all. We paid upon this two years ago. I was surprised to find that it had been in my stock two years.

952. Now, as to Question 897, what remarks do you wish to make?—With reference to the quotation from the Act which I read I find that that Act does not repeal 5 & 6 Vict. c. 47, s. 59, which is really the Act which bears upon the question of foreign plate. By this, if I read it, I think the Committee will see what the intention of the Legislature was: "And be it enacted that all gold and silver plate, not being battered, which shall be imported from foreign parts after the commencement of this Act, and sold, exchanged, or exposed to sale within the United Kingdom of Great Britain and Ireland, shall be of the respective standards now required for any ware, plate, or manufacture of gold or silver wrought or made in England;" that is really the Act which should be acted upon. This is not repealed; and I merely mention that to make my argument stronger of the injustice to the trade by the omission of the custom to act in conformity with the Goldsmiths' Hall.

953. The alteration in the law which you have suggested, and still wish to submit, is that the Customs should, before allowing any foreign plate to enter the country, have it assayed in some way or other?—Exactly so; that is what we wish; and I believe that Mr. Prideaux has drawn a clause which entirely meets the question with one exception, and that is the change of marks; I have seen the clause, and I know that it entirely meets the case; and it would even meet the case of watch cases.

954. You would also suggest that after being assayed there should be a distinctive mark to indicate the foreign origin?—Decidedly.

*Mr. Freshfield.*

955. Is that to include what you call works of art?—Works of art are exempted now under another Act of Parliament if they are made prior to the year 1800, and that exemption should always remain; but I may state, for the information of the Committee, that so far as I can ascertain, that clause exempting works of art made prior to 1800 has certainly not for 20 years ever been made use of, excepting in one instance, and that was when I myself imported some things under that clause.

*Mr. Talbot.*

956. Could you tell the Committee whether you can explain the principles upon which the exemptions from duty are granted?—Duty and marking go together by law now; the exemption now is based

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based upon the Duty Act of Geo. III. The principle on which the exemptions now allowed were made, was such articles as could not be assayed and stamped without damage; that is the principle upon which that table of exemptions was drawn up, and I think I remarked in my evidence that in many cases there no longer is the same reason that there was at that day.

957. If, first of all, the duty is to continue, or if the exemptions are to continue, there would be no objection to those exemptions being put upon an intelligible basis?—I think they might be put upon the concluding sentence of the list, exempting all such articles as from their nature can neither be scraped for assay, or stamped with the mark without damage; I would exempt nothing else.

958. There is a provision for the hall-marking of gold articles voluntarily, is there not?—Yes, there is a general provision.

959. But silver articles cannot be so hall-marked voluntarily?—Foreign watch cases may be so; that is the only case; I do not know anything in the table of exemptions that is voluntarily marked in silver.

960. We had some evidence, I think, with regard to that from another witness, who was asked at Question 808, "Gold wares, which are not required to be assayed and marked, may nevertheless be assayed and marked voluntarily?" and the answer was, "Yes." "(Q.) And they are not thereby liable to the duty?—(A.) No. (Q.) But as this does not extend to silver wares, on what principle is that difference made between gold and silver?—(A.) I do not know why that difference is made." Have you any reason to give for that distinction?—I have no reason to give for it; that regulation with regard to gold wares, I believe, was made at the time the standards were changed, but I am not sure about it.

961. I may take it from you that you do not consider there is any reasonable distinction between gold and silver wares with regard to this voluntary assay mark?—No, I do not see any difference between them.

962. With reference to the hall-mark, I understand that you are strongly in favour of keeping it up?—Most strongly.

963. Should I be right in saying that you wish to keep it up to guarantee the quality of the metal, or as a trade mark?—To guarantee the quality of the metal. I look to it for three reasons: first, it is a guarantee of the quality of the article; secondly, as I said this morning, it ensures a fair starting point between rival manufacturers; and thirdly, that it is of great use to all dealers to know exactly the intrinsic value of any plate that is offered for sale. I think we can hardly take it as a trade mark; it is the mark of the country; we cannot argue that any portion of it is our trade mark, excepting our registered punch. And, independently of that, there is another matter as to which I may also say, that marking by a variety of enactments has been carried on now since the 15th century, and the present system is also useful in enabling anybody conversant with the marks to determine the date of any article.

964. Then you value the hall-mark as a date mark?—Yes, certainly.

965. On the whole, I may conclude that you do not see the necessity for any change in the

Mr. Talbot—continued.

present state of things, excepting a change in the direction of simplification?—I do not see any necessity whatever for any change being made as regards English wares at all.

966. If you do see any need for any change as to any wares, I should be glad to hear it, but I thought that you were satisfied with the present state of the law, except that you want to put the exemptions on an intelligible and simple basis?—I would wish it extended to several articles which are now exempted.

Mr. Bates.

967. You think that there are articles now exempted that ought to pay duty?—Certainly.

Mr. Courtney.

968. You are strongly of opinion that hall-marking is useful?—Very useful.

969. Is it generally necessary to make a law for people to adopt things that are useful?—I should say so, or else it is useless making any laws at all for anything.

970. Laws are generally made to coerce people, are they not?—And I also think it is necessary in this instance.

971. If there were no law, if the thing were optional, you would have all your wares marked?—Such is my present view of the case.

972. Because the mark is useful to you?—It would be useful to me, but if everybody did not follow in the same steps, I should be at a disadvantage.

973. How so?—Because I should have my articles marked, which would be made of the standard of the country, and, if it was optional, another man might employ a material worth 25 per cent. less than mine would cost me; and I gave that as one of the strong reasons for retaining the mark, that it ensures fairplay between manufacturers, and puts them all upon a level, by enforcing their using a material of the same value.

974. I thought you told us the last time you were examined, that the customers looked for the mark?—Very often indeed.

975. In that case you would still retain your advantage, would you not?—A customer knows now that everything must be marked by law.

976. But you told us that customers would look for the mark?—Not in connection with its being voluntary, I think.

977. But if it were voluntary, do you think the customers would cease to look for the mark?—I can hardly infer that.

978. Are you aware that trade marks are used by American manufacturers?—Yes.

979. Are they relied upon by purchasers in America at present?—I can only give you very little evidence upon that. I can only speak with regard to articles connected with my own business; I have had few instances of American wares being thought highly of in connection with our trade, whether marked with a trade mark or without it.

980. With respect to the utility of the trade mark as a date mark, does that apply to articles within from 15 to 50 years old?—Possibly not to so great an extent as earlier.

981. You must go further back than that, because there is an extra value given to an article from its date?—Yes.

982. I

Mr. Courtney—continued.

982. In fact the value probably deteriorates during that interval?—As compared with the price of new work naturally.

983. So that it is a disadvantage?—I do not see that it is any disadvantage.

984. The customer is shown that the thing has been made some time?—I should say that that is an advantage hereafter; it may be also said that it will increase their value hereafter. Your grandchildren will get a higher price for what you buy.

985. Did you take part in that meeting of the trade in St. James's Hall?—I was present at it.

986. You yourself are of opinion, I believe, that the duties should be continued?—Yes.

987. And you are of opinion that both the hall-marking and the duty are beneficial to the trade?—Inasmuch as the duty and the hall-marking have gone together for so many years, I think it would be prejudicial to disturb that state of the law.

988. Hall-marking was long antecedent to the duty, was it not?—Exactly so.

989. And it might survive the duty?—To a certain extent, but not with the present excellent system.

990. I believe that the meeting passed a resolution in favour of the duty by itself, quite independent of hall-marking?—I think the question of hall-marking and the question of duty were taken separately.

991. Can you give us any reasons why they considered that a separate duty would be beneficial?—I did not take them separately at all myself.

992. They did at that meeting?—I can hardly answer for the manner in which the meeting was conducted. I was not in the chair.

993. Almost all the trade were there, were they not?—I think we may say that four-fifths of the trade of England were there.

994. And they were all unanimous practically upon this point, that duties were beneficial?—I do not think we were unanimous; there were one or two dissentients, but they were units as compared with the rest.

995. There was a vast preponderance of opinion the other way?—Yes, they were but units.

996. Could you give us any ground for the opinion entertained by your neighbours if not by yourself, why the duty is considered in itself beneficial?—I do not take it that the duties are beneficial, excepting to enforce the system of hall-marking, which I say is beneficial in every possible way you can think of.

997. But that was not the position taken at the meeting, was it?—As I say, I am not answerable for that.

Mr. Torr.

998. Would you suggest any change in the amount of duty, either higher or lower?—I think the duty is quite high enough, and I should also say that if it was lowered you had better do it 1*d.* at a time, and give us 50 years to do it in, or you disturb the value of so much property which now exists.

999. Do you think that the duty interferes with the extension of the silver trade in England?—Not in a direct manner.

1000. And it does not interfere with the export of silver goods?—Certainly not, because we get the duty back again on exports.

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Mr. Torr—continued.

1001. Does it interfere in any way with other countries?—Not at all. In estimating for foreign business we have to estimate, of course, less the duty, but then we have to consider their duty.

1002. Is it not the opinion of many silversmiths that the trade in silver is comparatively small to what it ought to be?—I do not think so. Not by men who will take the trouble to ascertain what the trade is.

1003. A statistical return shows that the amount turned over in the silver manufacture has been small?—I beg your pardon, there is no such return; they showed the amount of silver manufactured, but the amount turned over in the silver trade is not shown at all, except by the income tax paid by the trade.

1004. I mean in the manufacture of the raw material?—In the manufacture the amount turned over has considerably increased, as the amount used in that manufacture has decreased.

1005. You think that the manufacturers of silver articles do not feel the competition with America and other countries more severe than you did when you first knew the business?—I do not think that we ever had to compete with anything excepting the common German stuff which has been imported.

1006. You do not fear competition with the Americans?—Certainly not. I can compete with them in their own market successfully.

1007. Is it in the style of work that your house excels any other foreign country?—In all things the English mode of constructing large pieces of work is far in advance of foreign countries.

1008. So far as articles of *vertù* and objects of art, in which the chief value consists in the scientific design or good taste of the articles, do you consider that you still keep far in advance of America?—We do not feel their competition; and it is for other people to say whether we keep in advance of them. My own opinion is that we were in advance of them in 1851, and we are still further in advance of them now.

1009. Are you further in advance of American manufacturers, and French manufacturers, and German manufacturers in silver ware than you were 20 years ago?—In all large articles most decidedly.

1010. Therefore you suggest no change either in duty or in hall-marking?—I rather like to leave well alone.

Sir Joseph M'Kenna.

1011. As regards the evidence given on a former date by another witness, and as far as possible to reconcile one with the other, or to bring out what the distinction is between your evidence and his, Mr. Watherston was, I think, examined the other day, and he objected to the hall-mark as a date-mark, because of this reason: that for the first period, which we may take as 25 to 50 years, the hall-mark registers nothing in the shape of antiquity to give value to the plate as an old piece of plate for the first 25 years, and he pointed out a case where the plate may be taken by a person not very much skilled in the matter to be old-fashioned plate, because it is not the plate of last season; is or is not that a *bond fide* objection so far as it goes, although, of course, I do not mean to say that it overbears all other objections to doing away with the date on the hall-mark?—It rather depends upon the trader whether it is an objection or not. It is the custom

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Mr.

Garrod.

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custom in most trades, if a man speculates in the manufacture of certain things, and if they do not prove saleable, to reduce the price and turn his money over as soon as he can. I do not see that it is an objection to the system because it involves the manufacturer in an occasional loss.

1012. Supposing I go into Wyburn's or Morgan's to buy a coach, I cannot find any trade-mark or any indication upon the coach, can I, to tell me whether it was made five years ago, or last year, or this year?—Certainly not, but there is no standard of the country in wood or paint; the law must be taken in connection with the standard of the country which we use in the manufacture of our articles.

1013. That is the precise point which I want to bring your mind to; the standard, according to my notion, which is established by statute law is a standard as to quality, and has nothing whatever in the contemplation of the law to do with the register as to the date, anything more than the date on bill stamps has to do with more than a certain amount of official convenience; do you see any objection to retaining the hall-mark with or without an alteration of the duty, and at the same time marking only the century?—Any slight objection that I can see to the present system is *nil*, to the objection that there is to a change in a system which has worked well, and which is of great use; if you wish to break down any portion of the system you had better sweep it away; we hold to it, because we consider each portion of it good and useful.

1014. It may or it may not be the case that it would be well to sweep it away altogether, but I by no means have come to that conclusion in my own mind; but, as a matter of fact, the quantity of silver, and of the precious metals manufactured in the United Kingdom, has not increased in our time commensurately with the increase in any other branch of manufacture?—That is an assertion which I deny.

1015. I mean to say so far as evidence has been given it is to that effect, that evidence may be quite incorrect; but this is the evidence, that some years ago there was a larger amount of duty paid on the same scale of duty than there has been of later years?—Yes; but as I endeavoured to explain in my evidence, as the reason why that is the case, we certainly do not use so much cloth, but we make a great many more coats and sell them for a much higher price than formerly. If you will look at the Inland Revenue Returns you will find that within the period in which Mr. Watherston spoke of the decadence of the trade, the amount received for licenses to deal in those articles has more than doubled; indeed, I may say, very nearly trebled; consequently, if there is trade enough to support three times as many people as there were engaged in the manufacture 25 years ago, I do not think there is anything very wrong in the system.

1016. But the number of people that a trade supports, on the same amount of capital which might be engaged in it, is only evidence of how much the public are taxed by supporting the much greater number of purveyors of the article, and there is no advantage in that, *per se*, except to the individuals who are supported upon that branch of trade; and what I want to know from you is this, do you admit that the weight of the precious metals that has been used of late years in the trade, has had a tendency to any diminution in

Sir Joseph M<sup>c</sup>Kenna—continued.

the place of expansion?—I should say that there is a considerable deal more of the precious metals used in our trade now than at any time, because you do not take into account the tons of silver that are used for other purposes than manufacturing mugs or waiters, or such things.

1017. I am now dealing with the branch of manufacture, the articles that are subject to hall-marking, and to duty on hall-marking, and I wish to know, is it or is it not the fact, according to the best evidence that you can give us, that there has been a tendency to decrease the total weight of gold and silver used in that particular branch of the manufacturing trade?—Gold I think you will find has increased, and silver, as I stated before, decreased. That is a fact which there is no gainsaying, but the number of articles manufactured and marked would be shown by the Goldsmiths' Company to be ten times as many and four times as valuable.

1018. It has been spread thinner and made to go further; that is all that can be said upon the subject, is it not?—No, not at all. The heavy articles that were made 20 years ago are no longer made, and that is the reason that so much silver is not hall-marked as formerly.

1019. There is one objection at the commencement to altering the duty, which, to ease your mind, I see on the face of it, and that is, that it would disturb the value of your existing stocks more or less?—Greatly.

1020. But, supposing that that could be got over, do you still think it would be for the benefit of the trade that a heavy duty should be maintained?—I should like to know how it is to be got over, because I have no claim for any drawback on my second-hand plate, and, of course, on that there would be an immediate loss, and every gentleman in the country who holds plate must also put up with an immediate loss; and if I could see any benefit to accrue to us in the future I would agree with you, but I cannot.

1021. That is to say, you cannot, with the existing regulation with respect to rebate or with respect to drawback; but, assuming that to be got over, do you think it would be advantageous or disadvantageous to the trade to remove the duty on hall-marking?—I do not, as I stated in my evidence, think that the removal of the duty will affect the trade either one way or the other. The amount is not large enough on the general run of our transactions to bring the price of a silver article near enough to an electro-plated article to insure competition between the two; they are two distinct things.

1022. The duty amounts, does it not, to about 30 per cent., I think, on the value of silver?—Yes, on the intrinsic value of the silver rather more than 20 per cent.

1023. That is a very heavy duty to commence to force on the raw material, and then if that has to be paid, it is not like the case where goods are kept in bond, and the duty has to be paid whenever the thing has to be taken out and exposed for sale?—I cannot admit the whole of that principle, considering the class of people with whom silversmiths deal; I do not think that the removal of the duty would stimulate our trade; we do not sell to the working classes, we sell to gentlemen in such positions as honourable Members of this Committee; the upper ten thousand.

1024. Taking the coarser articles of silver as a manufacture,

Sir Joseph McKenna—continued.

manufacture, at what per ounce can they be made up?—That is a technical question, which I do not think that I could give really any useful information upon if I answered it. I can get a lot made for half what it costs me to make, but it would not be the same article; I can send it to cheap workmen, and it would not be the same article. I could not explain to you the differences in the system now.

1025. The cost of manufacturing the coarser articles, as I will call the plain forks and spoons, is very small indeed per ounce in relation to the duty, is it not?—Exactly so.

1026. What I wish now to know is this: if a man, not for articles of *vertù* or objects of art, but for the purpose of having the value of property in his possession, chooses to manufacture silver into spoons and forks for his own consumption, at present he has to pay an enormous duty to the State for leave to do so?—No, he does not; I apprehend according to the law, that I could make spoons and forks for myself, but I must not sell them, or offer them for sale; I may use them.

1027. I am speaking of a man who has to buy *qui facit per alium facit per se*; if I want to do that, I cannot do it under that fashion, I must do it through some other person?—No, you must begin again as we have begun.

1028. Therefore a man who wishes to have that done, if he cannot do it himself, must pay 25 per cent. duty to the State?—That is the law.

1029. Do not you think that that is an obvious discouragement to a manufacturer of that description?—To put it in an argumentative sense, possibly it may seem so, but practically, I do not think that you would alter the matter by remission.

Sir Patrick O'Brien.

1030. You mentioned to the honourable Member that, as a rule, plate is not sold to the working classes?—No, it is not.

1031. May I ask you whether, if this class of plate manufactured as you have mentioned in Germany, of a lower character were introduced into England, before it could be sold to the working classes under the existing law, it would be necessary that it should be hall-marked?—Certainly.

1032. Do you think that that is an advantage to the working classes that would require the use of such silver?—Certainly it would, because gentlemen that could afford to buy a piece of plate, expect that they are buying the standard of the country.

1033. That may be your view, but is it not quite a common case that working people wish to have a small description of silver spoons or forks, they appear not to be enabled to have it without the necessity of having it hall-marked; whereas in France it is pretty well known that in nearly all the agricultural parts, the wealth of the peasantry consists of two kinds of articles, their linen and their plate?—I see they have linen and coin, but I do not know much about the plate.

1034. Perhaps you may not be aware that there is no article which the French present values so much as plate?—I have not been able to see it; I have looked out for it, but I could not find it.

1035. Assuming that there should be no 0.117.

Sir Patrick O'Brien—continued.

reason why the people here should not wish to make a similar investment, are they not prevented by the hall-mark?—I think not.

1036. If any plate of that character is imported into England, whether it is in the interest of the revenue, or some interest of an intermediate character, prior to its sale, it is necessary and imperative that it should be hall-marked; am I right in that?—Perfectly so.

1037. Am I equally accurate in saying that if an inferior class of silver was imported from Germany, from France, or elsewhere on the Continent, which would suit those of the working classes who do not now buy plate, are they not prevented by this hall-marking from purchasing plate of that character?—I should say they are not prevented at all; if they have any money they can buy any quantity of it without hall-marking at all.

1038. That is to say, they must send to France for it?—No, they can buy it here.

1039. My conception of the law at the present moment (I may be quite wrong) is this: that no silversmith in London can sell any kind of plate except that which is hall-marked?—You are quite right about the law, but there are a great many people who hold licenses that do sell this foreign stuff which is not hall-marked.

1040. Then why preserve a law when we find that it is generally broken?—I fear that the custom is such that the law is broken.

1041. Without assuming that your statement is right, and that my statement is wrong in this respect, that the law is broken, but assuming that the law to be perfectly administered, would not this objection apply?—I answered your question that a large quantity of this stuff certainly is imported, and I think that is not marked; I think that a poor man can buy it now if he likes.

1042. The honourable Member next to me spoke about works of art, but my examination is solely confined to common useful articles of silver which would be likely to be used by the poorer classes, such as spoons and forks?—From my knowledge of the working classes, I should say decidedly that they would not buy anything that was not guaranteed to them to be of a certain intrinsic quality.

1043. That they would not buy it all without the existing hall-mark?—No.

1044. The honourable Member spoke about plate being in the hands of different persons in the country that hold old plate, and that that old plate would be depreciated by the removal of the duty; would you not attribute a depreciation of that character to other causes, for instance, the great produce of the American silver mines at present has very considerably depreciated the value of silver, and lowered the price?—That has materially brought down the price of silver, but it has not yet affected the value of plate.

1045. That has been because it has not been worked to a sufficient amount, but speaking to you as a trader and manufacturer, what advantage is the duty to you, because people do not generally want to support a system without their paying some corresponding advantage?—That it ensures the due carrying out of the hall-marking which, I have said, I do not believe will be carried out when it is separated from the collection of the revenue.

1046. Then you would recommend the imposition

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sition of the duty for the purpose of retaining this hall-marking?—I do, most decidedly.

1047. That brings me to the question of the hall-mark; I need not ask you whether every kind of goods, not alone silver, but all goods, are generally bought on the character of the house, and from the reputation that it possesses?—Yes.

1048. Assuming that a change in the law was made, which was extended to abolishing compulsory hall-marking, but to retain an institution for such purposes as persons may wish to use it for, would I be in error in saying that the high character and position, say, of your house, would in no way be affected by such a change of the law, and that people would buy Garrard's silver after placing the hall-mark on it was rendered non-compulsory as much as at present?—Pecuniarily I certainly should be injured. The reputation of my house will not pay my rent.

1049. Then it was talked of that the imposition of the hall-mark is an advantage in this way, that it creates a difficulty for other people to compete with you in the trade?—It creates a difficulty in competing with me on a better footing than I started with myself.

1050. Surely you do not apprehend in your present position any change; I ask you how it will affect your position, and you say that it will injure your position, injure your business, and injure your trade; may I ask you how you would be in any worse position than other persons are in under a similar law?—I say that all persons who are inclined to trade honourably, and to use the standard of the country, would be at a disadvantage if they had to compete with men who are not equally honest, and the public eventually would be the losers; the public would be some years in finding it out, but then they would find it out. I know a great deal about the trade; I know how much plate will produce; I know things in the early times that were not standard even, have been marked, but the Goldsmiths' Company have so correct a system now, that an error of that sort could not creep in, and my opinion is, that unless you retain the present system of hall-marking, the public will be at the mercy of the manufacturers, and possibly I might have to descend to the same scale in years to come, and use a lower material than I do now.

1051. My question had no regard to the artistic value of the thing, it had no regard to anything except that which I understand the hall-mark by statute was originally imposed to ascertain, viz., to ascertain whether silver is of a certain standard and a certain value; it is only in that regard that we can consider it, that being so at present in England, you are obliged to have the hall-mark?—Yes.

1052. Assuming the imposition of the hall-mark to be open and now compulsory, would not a suspicious buyer have all the power that he at present possesses, by having his mark imposed prior to his making the purchase if he so thought necessary?—I do not think he would.

1053. Would he not have the power?—He would have the power to ask for it; but my knowledge of the public is that they are rather too confiding, and I think you ought to protect them.

1054. Then in short the imposition of the hall-mark is as a protection to the public?—To the public.

Sir Patrick O'Brien—continued.

1055. If it be merely for the public, why should the silversmith be so anxious to retain it; is it merely from a regard alone to the public, and quite distinct from the trade, that you express an anxiety in your evidence here in the chair to-day not to have this hall-marking remain non-compulsory?—It is, first, for the protection of the public, and secondly, for my protection as a manufacturer, presuming that I am a rival manufacturer of yours or anybody present. At present while the system of marking is compulsory, I must start with an article that costs me 4s. 8d. per oz. If it is not obligatory on me to have my work marked I may, as anybody else who is competing with me, start with an article that is not worth 2s. 6d., and sell it to the public as silver, if you do away with what we now have. We have a law which puts us all on a fair footing to compete with each other; we start from the same position with an article of the same value. Without the mark you cannot guarantee the honest trader against the dishonest practices of others.

1056. In that regard was not the introduction of electro-plate an injury to your trade in the same sense as the production of lower-class silver without the hall-mark; would not that be so, logically?—Logically it may be, but practically it has not been so.

1057. Electro-plate has been no injury to the silversmiths' trade?—I think not.

1058. You were asked something about watches; I know that watches are not your immediate department, but you may be very well acquainted with them in one particular, that at present the case of every watch professing to be gold in England must be hall-marked?—Yes, certainly.

1059. And that renders it necessary to have what is called a gold dome to every English watch?—Yes, if it is attached to the watch.

1060. The dome is naturally attached?—I never made a watch and have never dealt in watches. I believe that is a regulation of the trade, but I am not a watchmaker, and I do not deal in watches with metal domes, but I believe it is the law.

1061. Are you personally aware that foreign watches come in here with the dome, as it is termed, made of base metal?—Yes.

1062. Do you consider it fair to make it necessary for an English watchmaker to mark his watches in gold cases with the hall-mark, when foreign watchmakers from Bésançon, or Geneva, or Neuchâtel, can compete with him with a watch made with a dome of base metal?—I apprehend that the Goldsmiths' Hall authorities would not mark a foreign watch with a metal dome, and consequently it is no direct injury to the English maker.

Mr. Torr.

1063. What per-centage of alloy can be introduced into silver and gold without being discovered by the ordinary buyer?—You may add more than one-third of its weight to fine silver without materially affecting its colour, and the gold somewhat more; I may say more than one half of alloy by using two alloys.

1064. Your opinion is that with an admixture of one-third alloy in the case of silver, and one-half in the case of gold, an ordinary buyer could not discover whether it was pure metal or not?—Not by the eyesight.

1065. I think

*Mr. Freshfield.*

1065. I think it is clear that you are in favour of the duty and hall-marking?—Yes, coupled.

1066. You think that taking all the considerations into account, the balance is in favour of the law as it stands in that respect?—Yes, certainly.

1067. Of course, you are not indifferent to the consideration that the Government raise a considerable duty at a not considerable cost, and not with any commensurate trouble?—Yes, I am perfectly aware that the revenue is collected at a very small cost.

1068. You think that greater inconvenience would result, on the whole, from the repeal than from the continuance of the law as it is?—Yes; I am strongly of that opinion.

1069. You said, I think, that there were articles now exempt which ought to pay duty?—Yes, I think so.

1070. You would, therefore, to a certain degree, extend the law?—Yes. That might very simply be done by striking out all exemptions enumerated, leaving the final clause in the present Act.

1071. Would you extend the obligation to pay duty to foreign watch cases?—No, that would be going back in legislation. I do not think I should recommend anything of that sort, because English watches do not pay duty; only I should wish to see foreign watch cases marked with a mark distinct from our English mark.

1072. You would keep the law as it is in that respect, as to watch cases, both English and foreign?—No. At present a foreign watch case need not be marked at all. I would insist upon its being marked with a distinct mark from the British mark.

1073. But you would not require the duty to be imposed upon either English or foreign watch cases?—I should think it would be inexpedient to open up that question again. It was considered, and the duty was remitted.

*Mr. Hankey.*

1074. I understand you to consider that it would be desirable to extend hall-marking to all articles?—All that could be marked at all, and marked without detriment to the article.

1075. Is it not the case that in France every article manufactured of gold, whether fine work or coarse work, is marked?—By law it is so.

1076. Would you leave out watch cases only as exceptions from this kind of system?—No; I would leave out all such articles as the final clause in the present Duty Act would include; that is to say, all such articles as cannot be assayed or marked without damage.

1077. But watch cases can be marked without damage, can they not?—I think it is advisable that they should continue to be marked, but as to the question of duty, the Legislature has considered that matter, and remitted the duty upon watch cases, and I take it that they remitted it with an object.

1078. You would take away nearly all exemptions with regard to hall-marking?—I should not take away anything like one-half the exemptions which exist now, but I should compel a large locket that may weigh 2 oz. to be marked; I should insist upon that being marked because there is no longer a reason why it should be exempted; a locket, at the time that the table of exemptions was made, was a very light article,

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*Mr. Hankey—continued.*

probably either ornamented with enamel work or engraved work, and you could not put the legal mark upon it without damage.

1079. But it is done so now in France, is it not?—But the French mark is nothing as compared to the English. We have five marks to put on; the French is simply a control mark, to indicate that it has paid duty, and is the standard.

1080. The only reason I apprehend why we want two marks is, to embrace the privilege of the hall-marking to the Goldsmiths' Company, and also to secure the payment of duty to the Crown, which is necessary; why is it necessary to put on the name of the maker?—I rather fancy that the marks have an earlier historic value than any advantage derived by the Goldsmiths' Company, because positively I do not believe it is an advantage to them to have the control of this marking.

1081. If hall-marking were extended to a great many more articles, do you think it would still be advisable to put those five marks on every piece of gold jewellery?—I think it is inexpedient to alter the marks, as they have existed for centuries.

1082. Can you conceive of any possible benefit that the public can derive from having all those marks?—I do not suppose that the public derive any direct benefit at the moment they purchase anything that is impressed with those marks but the guarantee of quality; what hereafter they denote may be of considerable value, as the marks of Elizabeth's reign are now.

1083. Is there any large export of gold or silver ware from this country?—Yes, there is a considerable export of small articles upon which no drawback is claimed or received. Many articles by law cannot, in fact, no parcel of gold-ware could, claim any drawback unless they are over 2 oz., and many articles, because they are simply ornaments of gold applied to leather, do not claim drawback, and consequently they are not shown in the returns.

1084. Have you ever heard that there is no great difficulty in obtaining the English hall-mark in America at the present moment upon articles made and stamped in America?—I have understood that the Americans have forged our hall-marks to a great extent.

1085. Therefore in neutral markets at the present moment you are exposed to all the frauds that may take place out of England?—I apprehend that that always was the case, and always will be so. Excellence will always, to a certain extent, be at a disadvantage.

1086. Do you not think, then, that that hall-mark is practically valueless as a proof of the article being in England?—On the contrary, I have said over and over again, I consider that it is of considerable value.

1087. Then you consider that this fraud, which you say you have heard largely exists, is of no importance?—It does not affect us English. You cannot introduce those forged things into this country.

1088. Then it does not affect the trade of England to have this trade injury prevented from extending into this country?—It may affect us in the competition, or rather where articles are sold abroad as second-hand, impressed with our marks, but it rather affects the public abroad than the trade of this country.

1089. Then you do not consider that the trade

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of this country is at all affected, whether we sell more or less gold and silver ware of our own make?—I do not see how it is affected by the forgery of those things in foreign countries, so long as you keep those forged articles out of this country.

1090. Do you think that competition in the foreign market is really of no importance?—There can be no competition so far as regards the regulations of the trade; there are no large parcels of English plate exported on speculation; there is no English business done in that way, at all events so far as my knowledge of the trade is concerned. All our foreign exportation is on direct orders, either orders from the traders, or orders from private people.

1091. In the neutral market, say in any marks in South America, a person desirous of buying English manufactured goods, can get them from America with forged marks of equal goodness to those which they can get in England; is not that a great advantage to the American, and a great disadvantage to the English manufacturer?—I think it is a disadvantage to the South American, because he cannot get them equally excellent, he is taken in; it is the South American that suffers, not the English; it is the consumer who suffers.

1092. Why do people forge the English marks if they have no interest in it?—They forge the marks for the purpose of cheating; they have a direct interest in it; the quality of the silver may be considerably lower, and they wish to deceive their customers.

1093. And therefore it does answer their purpose?—It may answer their purpose, but it does not affect our trade here.

1094. Therefore in neutral markets you can buy goods that are supposed to be equally good and bearing a supposed hall-mark, but which are of inferior manufacture?—I believe there are instances of that being possible.

1095. Some few years ago there was an alteration made in the standard of hall-marking; the hall-mark was not affixed till within 20 years to a lower standard than 18 carats?—That is so.

1096. Then by an alteration subsequent to that, I think there were three lower standards introduced in an Act of Parliament?—Yes.

1097. And the standard introduced is as low as nine carats?—Yes.

1098. Do you consider that an article of nine carats gold as gold?—I should not personally, and I think that was a mistake of the Legislature. That law was made, I believe, rather to accommodate the Birmingham manufacturers, and as soon as the Birmingham manufacturers found that the Government did not intend to allow them to put the Crown on those lower standards, they said they did not care a button about it; they wished that alteration no doubt, for the purpose of forwarding English manufactured goods abroad bearing the Crown upon them, that the public should imagine that they were of a higher quality than they really were; I think the Legislature made a mistake in descending to such a standard.

1099. But, practically, if I buy an article of gold manufacture how am I to tell whether it is 9, or 15, or 18 carats?—By the decimal that is struck upon it; below 18 carats it is marked with a decimal denoting its quality.

Mr. Hankey—continued.

1100. Do you suppose that the purchasers of gold articles in general are generally cognisant of decimals?—I ought to assume that the public generally understand decimals; I think they probably would do so.

1101. They may understand decimals, but can you tell me how they can ascertain what those decimals refer to?—They must ask the question if they do not understand.

1102. If they asked the question of the man of whom they buy it, if he be a respectable person they would get a true answer?—Yes.

1103. Would not they get a technical answer without understanding it at all?—They must ask in the first instance what meaning any marks at all had, people would not be born with such knowledge innate in them.

1104. Do not you think that goods bought of your house are bought on the character of Messrs. Garrard, and not on the stamp?—But Messrs. Garrard had to earn their character by conforming to the law.

1105. You think it is owing to the law that Messrs. Garrard got their wealth?—Messrs. Garrard conformed to the law and earned their character; the character was made before I was born.

Mr. Muntz.

1106. As a practical man I ask you, do you think there is one man in 50 who comes to your establishment that can make out what the mark means?—Yes, decidedly; I should say 25 out of 50.

1107. I think, if I remember rightly, you are a dealer in diamonds and jewellery generally?—Yes.

1108. Are there not imitation diamonds made which few people, even some jewellers, can hardly distinguish from real diamonds?—No, certainly not.

1109. Are there not diamonds made that anyone but a jeweller cannot decide which is which?—Most certainly not; you cannot make a diamond or anything approaching a diamond; you may make a paste but anyone who owns a diamond could not be deceived by it.

1110. I am not asking whether it is called paste or a diamond; but is there not manufactured a paste as you call it, that looks so like diamonds that many of the public buy them, and think they are diamonds?—My answer to that is that nobody ever buys them who owns a diamond.

1111. But a man must buy a diamond for the first time?—If he got a true diamond he would never buy paste; it is exactly the difference between blue and white.

1112. Then if you were told that some of the most intelligent and respectable men in this country and in Paris have examined diamonds and could not tell which were diamonds and which paste, you would deny the fact?—No, I should not.

1113. When you sell an article is it not generally on your respectability?—To a great extent in the case of diamonds it is so; but I apprehend that we are not dealing with diamonds just now. Diamonds are a sort of thing in the buying of which a customer must have a considerable amount of faith in the goldsmith. And frequently I find so little faith in customers that they



Mr. Muntz—continued.

they ask to take things away for a day, and take them to rival houses to get their opinions.

1114. Take a gold chain, gold chains are not generally marked, are they?—No.

1115. If a person comes to you for a gold chain, does he not look to your respectability as a guarantee for the quality of the gold chain, whether it is 9, or 12, or 18 carats?—To a great extent, a man's connection is upon his respectability.

1116. Is not that the case in every trade?—I apprehend not; I apprehend that there is a great deal of trade done even by men in our business who occupy commanding positions in large thoroughfares; there is an enormous amount of casual trade by people who only started as it were yesterday.

1117. But does not the character of the shop to a very great extent give a value to the goods?—I think the character of the shop retains the customers, but I do not think the character of the goods was originally stamped by the character of the shop.

1118. Supposing that any stranger wanted to buy a watch in this country, would he not inquire as to the respectability of the parties to whom he went?—He should; I do not say he always would.

1119. There are some people, of course, who are always silly and would not; but do not you think any intelligent man would?—In practice, I find they do not.

1120. You made a remark at the commencement of your evidence that the hall-marking of watches and other goods secured fair play to all rivals in trade?—Yes.

1121. Are you aware that it was asked by the honourable Member for King's County, that there are foreign watches imported largely into this country with domes that are made of base metal?—Yes, but I am not aware that those houses which buy them buy British work.

1122. I think you suggested that they should be marked?—They should be marked with a distinctive mark, not with our mark.

1123. But even then that mark would not do for base metal?—It is only applicable to that part of the work upon which it is affixed. A watch case wants three marks to be marked on three places.

1124. You would allow the gold mark to be struck upon watches, would you not, if they were all gold except the works?—Yes, if the piece is not marked, it would not be denoted as gold.

1125. Are you aware that those goods are imported and sold considerably in this country?—Yes.

1126. Are you aware that an English manufacturer in Coventry or London would not be allowed to make those base metal domes for watches for the purpose of sale?—Of course not, under existing rules very justly and very advisedly they are not allowed to do so.

1127. Under the existing law a foreigner can manufacture and import a watch, and sell it in this country which an English manufacturer is not allowed to make?—Yes, but he sells it without any guarantee of quality.

1128. In that case does it secure fair play to our manufacturers?—He is not the manufacturer. I am speaking of the British manufacturer; we can compete very well with the foreigner.

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Mr. Muntz—continued.

1129. If you compete with the foreigner, how is it that such a large quantity of those watches come into this country?—That always will be. When the public will have cheap things, they must come for them to the cheapest market.

1130. Would not it enable a manufacturer to make a cheap article if he could put in it a dome of base metal, worth almost nothing, you may say, instead of gold, which is worth 3*l.* 10*s.* an ounce?—I do not think it would enable him to make any more watches. I think we make as many good watches as we can make. I think the foreign trader is affected by the system that is allowed by the law.

1131. You mean that the foreign traders import watches into this country?—They import watch cases, not watches, into this country, for the purpose of obtaining our mark; that is the grievance which the British watch trade suffers under.

1132. Supposing the mark was entirely done away with, and manufacturers were compelled to put on a fancy mark, as you have just mentioned, would not that still allow of foreigners sending watches here manufactured with base metal domes, which an English manufacturer would not be allowed to make?—Exactly as it would at the present time.

1133. Is that securing fair play to your rival makers?—You are putting a case which I think is a fraud and not fair play. If a metal dome is sold as gold, you are putting a fraud. If they sell to you as a gold watch, it is a fraud.

1134. But when you sell a gold watch, the works are not got gold, are they?—Certainly not.

1135. Then you are not guilty of fraud?—No, I am not; but I do not sell anything which is not marked.

1136. You sell a gold watch with a gold case, but the works are made of base metal?—I think every child knows that.

1137. But a dome is no less a dome, although of base metal?—But everybody does not know that the dome is generally gilt that you are speaking of, and people do not know.

1138. Supposing they are not gilt; I am talking of base metal, and looking at the base metal of which millions of watches are made annually and sold, I ask if those parties are guilty of fraud because they make the dome of base metal?—They are not guilty of fraud, but if the watch is sold under the general acceptance of the term as a watch with a gold case, I say it is then a fraud.

1139. Do not you think it is fair that the law should be equal here to Englishmen as well as to foreigners, and that the foreigner should be subject to the same law as the Englishman is?—That is what I am asking.

1140. Is that the case at present?—No, I think you always give the foreigner advantage over us if you can.

1141. Then as to watch cases at present, you have pretty much fair play?—As applied to English makers, but you are rather putting a different construction upon my answer to which I intended to give it. My answer applied to the English trade.

1142. Do you think that they have pretty much fair play?—My answer was intended to apply most especially to the English trade, and if the suggestion of our trade were carried out

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Mr. Muntz—continued.

by the Legislature, it would also apply to foreigners.

1143. Do you think the foreign trade of any value at all, I mean the export trade, to this country?—It is not very considerable. It is always valuable to the individual, but I do not think it is a large trade. Our gold and silver wares are exceptional trades all over the world; you cannot make watches common articles.

1144. Have you any knowledge of what was the export of watches 40 or 50 years ago?—No, I never looked at the returns.

1145. Would you be surprised then to hear that they have rather fallen off?—Not at all.

1146. Would it surprise you to hear that the watches made for our own colonies, or one of our colonies, of Swiss manufacture, are increasing every year?—No, but they are not entirely of Swiss manufacture, because the works go from Birmingham to Switzerland first of all.

1147. Have you any evidence of that statement of the works going from Birmingham to Switzerland?—I have been told that wheels have been cast at Birmingham, and exported to Switzerland, for instance; they are not considerable in bulk. I have been so informed since I have been in the trade, since I was a boy, but I am not a watchmaker, and I am speaking rather upon the general opinion of the bulk of our trade. Watches are only an infinitesimal amount compared with the amount of the English trade in gold and silver.

1148. Still it is the worth of the gold and silver hall-mark that is particularly valued by the Coventry people?—Yes, very much so.

1149. You said that there is no profit gained by the manufacturer by the duty?—No, I said there was a very small profit made, and I gave evidence to prove it. The other day, I said that you might estimate the profit at about a  $\frac{1}{4}$  d. an ounce, but nothing like 2 d., as was stated to this Committee.

1150. You are thinking that I am alluding to the profit of 3 d. returned by the Government?—Yes.

1151. I do not refer to that; I say you will make an article of 12 ounces, which at 4 s. 6 d. is above the present value of silver?—I cannot work silver that cost me that.

1152. The very finest silver is not at this moment, you will admit, equal to 4 s. 6 d.?—I most positively say that this bar silver below bare standard we cannot work.

1153. If it was 2 d., then 12 ounces at 4 s. 6 d. would be 56 s. If you put 1 s. 6 d. on that 12 ounces, you have to add 18 s. to it?—Yes, certainly.

1154. You have a profit, I presume, upon your goods; I do not ask you what?—All I can get.

1155. Say that you have a profit of 25 per cent. on those superior articles, is there no profit then on this difference, on the 18 s.; you must put your profit on the manufactured article, not on the raw material?—Of course if I sink the money I want some interest upon it.

1156. But you recover that interest when you apply for drawback; supposing you want to export manufactured goods, you obtain the drawback?—If we manufacture a quantity of plate for exportation, as I endeavoured to prove to the Committee, we may be six, or eight, or 12 months executing the order; we get upon the re-

Mr. Muntz—continued.

bate a certain amount of profit, which is scarcely equivalent to the interest upon the capital sunk for the time; but we get that small sum.

1157. You have to pay out this 1 s. 6 d. per ounce of silver; do you get any drawback upon the profit?—Yes; but in making my price I do not put a profit upon the duty if I am making for export purposes; if I am making a price to compete in the foreign market, I estimate no profit on my duty; but if I am competing with other people in the home trade I must have a profit.

1158. I understood you to say just now that the great majority of things which were exported were small, and on which it was not worth while applying for the drawback?—On the contrary, I said there were a quantity of things that were exported on which you cannot apply for drawback by law, and that on many others, on account of the difficulty of taking the work, to prices they are exported without claiming their drawback.

1159. Then in the competition with manufactures in foreign countries and in neutral countries, the English manufacturer is handicapped with them because of the duty?—He is; but there are suggestions at present to be offered to this Committee, I believe, which would remedy that inconvenience.

1160. Suggestions that would prevent the foreigner working without the duty?—No, not the foreigner working without duty; but it would meet this question, that the manufacturer would get his duty back, in the shape of drawback, if certain facilities were made in the connection of the Goldsmiths' Company and the Customs to enable them to do it; that would put us then on the same footing as the foreigners.

1161. Have you ever heard much of the glass trade, so as to take an interest in it?—No, I do not know much about it.

1162. You, no doubt, are aware that there was a very large excise duty payable on the manufacture of glass, in the same manner as there is duty on plate?—Yes.

1163. And that that excise duty was taken off?—Yes.

1164. And there was a drawback allowed for that?—Yes.

1165. Are you aware of the increase in the sale of glass in the 10 years since that duty was taken off?—Yes, I am.

1166. Was not it as much as tenfold?—I daresay it may be, because the million buy it; but the million never would buy gold and silver. Unless you are prepared to give your work-people 200 l. or 300 l. a year extra, they cannot deal in precious metals; they cannot afford it.

1167. You were asked by the honourable Member for King's County whether you are aware that the French peasantry have a particular habit of keeping certain articles of plate in almost every cottage; I might ask you whether the Dutch peasantry do the same?—I hear it asserted, but I have never been able to find it. I have travelled in France and in Holland, but I never could buy any old plate amongst the peasantry.

1168. Would it not make a difference to a poor man in that position if he bought his plate, thinking he was investing in something of value, to know that if he were to sell it again he would sell it with a loss of 30 or 25 per cent.?—

I think

Mr. *Muntz*—continued.

I think you are rather assuming what does not exist. There are lots of instances of a poor man possessing six tea spoons; of course he does not buy those tea spoons new. In my experience, I do not find that work-people, or any servants, could buy silver tea spoons.

1169. I will take the least expensive manufacture, silver forks; you would charge 7s. an oz., would you not?—Somewhere about that.

1170. The real value of those to sell again is 5s., is it not, at the outside?—That depends upon the ware. I very often give 6s. an ounce.

1171. As old material?—Yes; but you would not call it old material unless it had passed through a couple of generations.

1172. Would not that influence a man of the poorer classes when he purchased?—I have already said that I do not believe it would, so far as my experience goes.

1173. What do you make out the amount of duty on silver and gold returned for drawback?—I think it is somewhere about 8,000l. or 10,000l. a year.

1174. About 10 per cent. of the whole duty?—Possibly.

1175. Then, according to that, it makes the exports about one-tenth of the whole make of the country?—Yes.

1176. Does not it seem, when we consider the nature of the trade itself that is carried on in England, a very trifling amount that we, the first manufacturers in the world, should only be able to sell one-tenth of our make to customers abroad?—If you wish to take it on figures; but I do not find that figures will prove anything about our trade at all. I have had a good deal of experience abroad as well as in England. It certainly may seem so to a gentleman who will simply reason upon figures; but if you see what the habits of the country are, you will see that all foreigners now, even more commonly than they do in England, use electro-plate; and if you could by law even reduce the value of silver, I do not think that would affect the trade. The demand always was limited, and it must be a limited demand, both in England and elsewhere.

1177. But supposing the demand in England was less, in consequence of the use of the electro-plate, is it not strange that there should be more demand in the United States of America, where electro-plate is unquestionably used?—I do not know that it is; I have no statistics.

1178. If we brought evidence from America and the Colonies that the American silversmiths sell more silver than the English, do not you think that would be conclusive?—It would not be conclusive, because I get my drawback back, and I get my duty on it back.

1179. You only get the duty on some articles that you export in large quantities?—It would not be worth while to send a man, even in a van for half-an-hour, down to the Custom House, if it was not in a considerable quantity.

1180. We had evidence, and I should like to ask if you agree with that evidence, that the drawback of a guinea was not worth obtaining, because it cost a guinea to get it?—That is perfectly true; but I never heard of any dealer exporting a guinea's worth of anything, or stuff that required a guinea's worth of duty.

1181. You are aware that the law is that you cannot get back the drawback on less than 0.117.

Mr. *Muntz*—continued.

two ounces of gold?—Just so. On a parcel of two ounces there is a guinea duty, and that law was made to meet a fraud.

1182. If a person buys ten guineas' worth of gold, and wants to export it, he can get that drawback, at least?—Yes.

1183. Therefore he can buy it cheaper in another country where he has not to pay a drawback; you talk of putting a duty on everything; you would not put a duty on gold chains, would you?—I think chains are exceptional.

1184. What do you say about bracelets?—A gold band bracelet should be marked; a chain is an exceptional thing, made in so many links, that it would be possible to detach one link and substitute others; it is a thing in which you must fall back upon the spirit of confidence.

1185. I think gold bracelets are not marked now?—No.

1186. Not even plain ones?—No, they are exempt by the table of exemptions.

1187. When we buy gold bracelets, we buy them on the faith of the respectability of the person who sells?—Yes, you do.

1188. Then why not other articles?—But then you buy them of every sort of gold, and that cannot be the case with silver; you want to apply an answer with respect to a bagatelle to the general trade.

1189. As a matter of fact, are not bracelets sold to a very large extent?—I have stated so; and I would have marked all that you could mark, and the trade agree with me upon that subject, as I think they agree generally with the opinions I have given here.

1190. I understand you to say that all this hall-marking works very satisfactorily, and you do not wish to see any change?—Excepting such changes as the changes made in the goods require.

1191. Then you wish to extend the hall-mark?—Certainly.

1192. Do not you think that the hall-mark would be possible if it were made permissive?—It is possible, but I do not think it would be of the same use; it would not be so general, or so exactly carried out.

1193. Would not a purchaser have the same chance of ascertaining the value of the hall-mark if it was permissive?—The purchaser would not, and I say they do not; my experience is, that a purchaser has too much confidence, not in me personally, but in the general class of traders in the country.

1194. You think that all those trades should be carried on by Government marks, and that the respectability of the person is a secondary consideration?—All those things applying to the standard of the country should be controlled; and I cannot see a better system of control than now.

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1195. Can you mention any other articles of ordinary sale and consumption to which the law applies a guarantee of this kind?—Consumption is another thing. There is no consumption in our trade; our manufactures lasts for ever, as it were. As a matter of fact, they last two or three generations.

1196. Do you know of any other article on which the law requires that a certain guarantee should

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should be stamped?—Not any manufacture, so far as I can immediately call to my mind; but when you come to the Excise, there are a considerable number of articles.

1197. Can you mention any articles that the Excise treats in that way?—You may take spirits, or wines, or tea, or anything else.

1198. When I go to buy tea or spirits in a shop, can I appeal to any mark upon the package, or upon the article which proves to me that it is of a certain quality?—I do not know that you can; but then you have other machinery for detecting adulteration; you have other laws made to meet that case.

1199. If it be a particular kind of brandy, or whisky, or wine, and I see on it a mark on the cork, or on the bottle, of the dealer or the producer, that is my guarantee of the quality, is it not?—No. I should think your own taste should be, as it is mine. I like to try what suits me.

1200. I asked the question, because you mentioned those articles as things which were guaranteed by statute?—No; not as guaranteed, but as taxed. I understood your question in another sense.

1201. I said nothing about taxation; I said can you mention anything, the quality of which is guaranteed under statute?—No, I cannot.

1202. Then there is nothing except gold and silver; there are many articles which vary quite as much in quality as gold and silver, are there not?—Not of equal value, that I know of.

1203. But they vary as much in proportion to their value; take a piece of silk, for instance; it has been given in evidence before a Committee of the House of Commons that a piece of silk may be almost entirely silk, or it may contain hardly any silk at all, but actually mineral matter put in to make up the weight to an ordinary purchaser to such an extent that I am afraid both yourself and myself would not be able to detect the difference between the two?—I doubt it; if I wore silk I should be as good a judge of silk as I am of cloth now, and I think I know as much about cloth as a clothworker.

1204. I am talking not of the wearing but of the buying?—If you are in the habit of using any material constantly, I think you soon become a fair judge of it.

1205. You think that the public are perfectly safe?—I think so.

1206. But at any rate there is no attempt on the part of the law to guard a purchaser against being deceived in the quality of the articles that he buys?—I believe not.

1207. Then I would ask you to state definitely what is the reason that you think that that principle should be applied to gold and silver, when it is not applied to anything else?—It is a law applicable to manufacturers in bullion, it is a very expressive word, in the precious metals. The origin of the law I believe was that protection was thought necessary for the public against all who manufactured or dealt in the precious metals.

1208. If a man is in the habit of buying silver plate, I suppose he would equally become a judge of it as he would in the case of silk, or any other article?—Very many of our customers are very good judges of the work, but they cannot be judges of material, because the material has

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no particular texture about it; you cannot subject it to the same manipulation.

1209. You think that an ordinary purchaser can be as well aware of the quality of silver and gold as he can of the other articles of which you have been speaking?—Most decidedly not.

1210. But the particular reason, as I gather for which you see some advantage in the maintenance of the hall-mark is, that plate is kept for a long time, and passed from hand to hand to a great extent?—The particular advantage which I see in retaining the mark, is to guard against a fraud which is very easy, and that is adulteration; I can reduce the quality of my silver one-third, and to an uninitiated eye the colour of it will be the same as that of standard silver; and I apprehend that with such competition as we have, that quality will be made would be used unless we have a system of marking and controlling the quality of silver used by manufacturers.

1211. The competition in your trade is not greater, is it, than in other trades?—I should think there is no trade in London in which there is more competition, or no trade where we so directly compete, that we put up with very small profits.

1212. You mentioned as an instance of the peculiar value of the present system of hall-marking, that you could detect the period of the manufacture of the plate?—It is not detection; it is an established thing.

1213. You mentioned Elizabethan plate particularly; what is the particular value of Elizabethan plate?—If you have got a cup of Elizabethan manufacture, which has the hall-mark upon it, I should be very happy to give you 14*l.* an ounce for it.

1214. I ask why, what is the reason of that peculiar value?—The value that now, an educated public attach to every hall-mark, although the thing shall have no artistic merit, but simply because if it has the Elizabethan hall-mark, the public have attached that value to it, and not the manufacturer.

1215. Although the thing itself may be of no better general quality or of more artistic merit than many other pieces of plate, but because it has a mark of that period, it receiving a fictitious value in the public market?—I do not say that it is a fictitious value, because it is an established guarantee of its genuineness at that period, such is the value attached to those marks. There is no intrinsic value, but there is a direct value to the public.

1216. You think it is an advantage to the public that this should be carefully protected and fully preserved to them, as the mark gives to the article a value which it does not intrinsically possess, because it indicates that it was made at a certain time?—Yes, it has an historical value which is guaranteed by that mark.

1217. In fact, a fancy value altogether?—Entirely; just the same as pictures have a fancy value.

1218. You think that that is a desirable thing to continue?—I think it is a thing which has been proved to have worked well for a great many years, and I think it is desirable to continue it.

1219. I did not exactly understand what you said in answer to the honourable Member for Peterborough, about frauds alleged to be perpetrated

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petrated in America in imitating our hall-marks; those are put on in America to pieces of silver in order that these may be passed off as English goods, I presume?—I understand so; whatever evidence I have given you upon that point is simply hearsay; I have no facts to tell you as regards that, but I know as a matter of conversation in the trade that such things have been done in America.

1220. But the object of putting on the mark is to pass off the articles as British goods, is it not?—To pass off base articles as articles of standard silver.

1221. Supposing those articles are in demand, which they must be, or the mark would not be put upon them, are they bought by persons who if they could not get them would by British goods?—By them, because they fancy that they are British goods of a certain standard; but I apprehend that no legislation would cope with fraud, for where men will insist upon being dishonest, you cannot make them honest by Act of Parliament any more than by abolishing all Acts.

1222. I mean that if those articles with fraudulent marks upon them are sold in the foreign markets, it must be in diminution of the sale of British goods?—Naturally that would be so, but I apprehend they are not very extensively sold.

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1223. I think you said that you are not in favour of voluntary hall-marking?—I prefer compulsory hall-marking.

1224. And you think that the hall-mark is a protection to the public?—Most decidedly so.

1225. And you are of opinion that the hall-mark should be continued?—I think it is advantageous both to the honest trader and to the public to continue it.

1226. What is the value of the hall-mark in silver to you as a trader?—It has two values; it shows me the quality of the material out of which the article is made, and of course it brings me within the law.

1227. Suppose I bring that mug which is on the table to you; it has been made within the last year or two; you put a certain value upon it; and suppose I bring to you a mug of the same size and the same weight, and everything else, but made 150 years ago, what value do you put upon it from that fact?—Varying from 75 per cent. to 100 per cent.

1228. Does not it frequently reach more than that?—Not of the date you are speaking of; I can buy lots of George II's. articles of that description at 10 s. an ounce.

1229. Go back to James II's. time, what would be its value?—It would be almost four times the value.

1230. If that hall-mark was not on that mug, it would not be of the same value I suppose?—It would not be worth half the price, and I should only buy it to melt it.

1231. Therefore in the interest of those who have those articles, apart from the trade, you think that the hall-mark ought to be continued?—If you abolish it, I do not think it would interfere with the value of the old hall-mark, but it would interfere two generations hence with the value of the plate now manufactured.

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1232. If the plate of two generations ago is worth 50 s. an ounce, that plate made to-day, might be worth 50 s. an ounce two generations hence also?—Very likely.

1233. Supposing the duty was taken away, what would become of all you manufacturers and dealers with the stock that you hold?—The Government would have to repay us at the rate of 1 s. 6 d. an ounce, all the duty upon articles which are new, and have never been used, and that we should recoup ourselves on, but of course, on second-hand articles that have been used, you at once subject a large holder to a serious loss.

1234. And you subject any private party who holds silver plate to the same loss?—To a certain loss.

1235. And therefore to an injustice?—You may put it so if you like; it would be an injustice to me.

1236. Would it be an injustice to the Chairman, or any one of us who have paid duty upon the plate that we have?—I do not know that I can answer that question.

1237. What is the sale of new plate compared to the sale of second-hand plate annually?—That I can hardly answer off-hand; I should have to make a calculation.

1238. I suppose you know pretty well from your own manufacture, what new plate you sell annually?—The figures that I could get out of our own books would not be a fair test, because as manufacturers we sell more new plate possibly than we do of second-hand plate, and because we only deal in exceptionally good second-hand plate, and therefore my figures would hardly be a correct answer.

1239. Is there not a great deal more second-hand plate sold annually than new plate?—I should say that it simply changes hands; you see so much of it is bought at auction, and not always sold in the trade.

1240. I mean bought by the public. You were asked about a carriage; if you go into Long Acre, to some of the leading men there, for instance, take Silk, you generally find that his carriages are marked on the wheels, or somewhere?—Yes.

1241. If you were buying a carriage of Silk's, I suppose the first thing you would do would be to go and ask him when he made it, in order to give you the value of it?—Naturally I should, if I bought the carriage.

1242. Then you could guess at the value?—Yes, I could guess at a certain value.

1243. Do you think if the duty were taken off silver plate the public would get any benefit, generally speaking?—Except upon spoons and forks I do not see that they would get any benefit at all; I should not alter the prices of my articles that I sell at 1 l. an ounce, more or less.

1244. You said that you would have all foreign plate stamped; I think the Goldsmiths' Company only stamp a certain standard?—But I apprehend it was the original intention of the Legislature to allow nothing to compete with the home trade that was not of the British standard.

1245. If I import German plate, and send it to the Goldsmiths' Company, instead of stamping it they break it up, do they not?—Yes; and I think very properly so. You cannot get it stamped

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stamped unless it is of the same standard as ours.

1246. You have been asked how you would find out the value of a watch chain; supposing a chain was taken to a pawnbroker's, if it was 9, 14, or 18 carats, he would pretty soon tell you the value?—An experienced man would just hold it in his hand and tell you, but the public are not experienced; and then you must, of course, go back upon confidence.

1247. There is a difference, is there not, between the weight of a paste diamond and a genuine diamond?—A diamond has a specific gravity, and a piece of paste has not one-third of the specific gravity of a diamond.

1248. You think that anybody could tell a diamond by the weight, or the colour, if he used his eyes?—Yes.

1249. Pearls are made very well just now, are they not?—Yes; pearls are very well imitated occasionally.

1250. And they are almost undistinguishable from genuine, are they not, unless you have them in your hand?—Yes, at a little distance nobody could guarantee them, but if you handle them, or have them sufficiently close to your eye to have them in your hand, a very small experience shows you the difference.

1251. A manufacturer of silver always puts his own name, does he not, on his goods?—The manufacturer must put on his own registered punch the first letter of his Christian name, and of his surname.

1252. That is not done by the Goldsmiths' Company, I believe?—No, that is affixed by the maker.

1253. And you mark them yourself?—Yes, certainly.

1254. You said that many articles of silver and gold were exported, or silver especially, perhaps without getting the drawback?—Yes.

1255. For instance, I suppose you sell lots of those silver waiters to go out as presents to India and Australia, which you never think of getting the drawback upon?—I should not get the drawback upon anything of that sort.

1256. Therefore the Customs' returns you think are no criterion as to the actual amount of exports?—No, not in that way; they are no criterion of the amount of manufactured silver taken out of the country, because there are thousands and thousands of small pieces taken out. Even I, if I have patterns, or anything of that sort, and am going to Paris or going to Germany, can take my patterns in my pocket or in my portmanteau, and when I came back I produce them to the Custom-house officers and say, I took these out as patterns, and I will apply for them at the Queen's warehouse, if you like.

1257. You were asked about the difference in the consumption of glass when the duty was taken off; is that at all analogous to silver?—I do not see how it can be; the intrinsic value of the material, to start with, can bear no comparison whatever.

1258. What do you say is the comparison as to breakage?—Of course there you come to consumption again, and I say that we have no consumption; our articles are not consumed; they may last for ever.

1259. Is it not the fact that at the present day

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there are great frauds in those bracelets that have actually been stamped?—I have no doubt that there may be a great quantity of lockets and bracelets sold as 15, 16, or 18 carats, or whatever the leading manufacturers would use in their ware.

1260. But is it not a well-known fact that at the present day we hear that bracelets of 9, 12, and 15 carat gold are sold as 18 carat?—I do not know of any particular instances. I have heard so, but I do not know it as a fact.

1261. Would it not put a stop to that if they were hall-marked?—Certainly.

1262. On that account, for the protection of the public, you think it ought to be done?—Yes. I think that the protection is well worth the duty.

1263. You have been asked about silk; I suspect that you or any other man who is in the habit of buying a piece of silk could tell whether it had a cotton or a silk back?—I think I could.

1264. I suppose you or any other gentleman could tell, if you saw a piece of Bradford stuffs, if it had got cotton mixed with the wool, could you not?—I daresay I could if I looked for it.

1265. Could you tell us the quantity of alloy mixed with silver, or any article that was made up?—I could not by sight off-hand, even in a bulky article of that kind.

1266. Supposing we were to say that it was three-fourths silver and one fourth alloy, could any man, unless you assayed it, tell what the real value of that silver was?—I doubt if he could.

1267. And therefore silk is no criterion as to silver?—I think none whatever.

1268. You were asked about the value of old silver, and you say that for an article of James I.'s time you would give I think you named, 5*l.* or 10*l.* an ounce?—Yes, we will say 7*l.* an ounce.

1269. You do not see why the public, if they have this interest, should not be accommodated, do you, or that they should not pay for an article if they wish to possess it?—No, the public have regulated its price.

1270. If they think proper to pay for it you do not see why they should not?—No.

1271. And it would not be of that value if it had no hall-mark?—Certainly not.

1272. You have stated that you have heard that our hall-marks are forged in America; have you ever seen anything of the kind?—No, I cannot say that I have.

1273. Did you ever see any American plate in England?—Yes.

1274. Did you ever see American plate in France?—Yes.

1275. Do you generally find that it is hall-marked?—No, I do not. I have not seen anything like a forged English mark.

1276. Do you know their trade-mark?—Yes, I have seen their trade-mark.

1277. Very often the man's name is in full, is it not?—Yes.

1278. That is as a sort of trade register?—Yes, it is so accepted now in our own trade.

1279. Unless they are very first-rate names I do not believe they would be accepted?—It must be a very first-rate man whose name would be taken as a guarantee of the quality of the silver that he sold.

1280. We



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1280. We have heard something of old teaspoons; I suppose you buy old teaspoons sometimes for the melting pot?—Very often.

1281. And when you get them perhaps you find them worth a little more than the melting pot?—Not very often; but if they are George II. or George III. engraved teaspoons, they are of considerably more value.

1282. You do not put them in the melting pot, I presume?—Not if they are hall-marked.

1283. Therefore you consider the hall-mark necessary for your silver plate?—Yes. It is only the indication of their date which makes their value.

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1284. I think you said that a gentleman who was in the habit of purchasing articles, such as broadcloth, could very soon ascertain the value so as to become a good judge?—I should think he would very soon ascertain the quality.

1285. And with the quality the value?—Naturally.

1286. You would have no difficulty on touching a piece of broadcloth to say whether it was worth 24s. a yard or 32s. a yard?—I apprehend that there would be very little difficulty about it.

1287. Do you think that there would be much greater difficulty in deciding upon the value of plate?—The intrinsic value most decidedly.

1288. Is the intrinsic value the real value?—Of a great deal it is.

1289. And of a great deal it is not?—Of a great deal it is not.

1290. There is plate made here which is worth something like 10s. an ounce, is it not?—A considerable deal.

1291. And there is some plate worth how much as a maximum?—I suppose the highest thing that I have I should want about 5*l.* an ounce for, for the mere work.

1292. As between 10s. and 5*l.*, which is a greater difference than between 12 carat and 18 carat, you wish for no protection, except your reputation?—We have none other, and I do not see how any other could be given to us.

1293. For that you are satisfied with your own reputation, and the country at large is; but for the other, which is of much less importance, you say that the country must be invoked to give you protection; is that your argument?—Not to give me protection, but to give themselves protection. I do not want the protection so much as I think it is necessary for the public.

1294. So far as I am concerned, you want to give me protection as between 18 and 12 or 9 carat gold; but as for the price itself, owing to the beautiful artistic work which is put upon it, you give me no protection whatever, except the judgment of the man that made it, and my appreciation of his worth?—The protection would be your experience. Unless you had a certain amount of experience and knowledge you would not be paying such a price, I apprehend.

1295. But, after all, does not the public generally buy at your establishment on the reputation of your firm, knowing that it would not turn out anything which was not really intrinsically valuable?—I believe that the public do buy a great deal upon our name, but, at the same time, I do not think that it alters the value of my argument respecting the hall-mark.

1296. With regard to the question of pro-  
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tection, you said you thought it was necessary to keep the duty on in order that the hall-mark might be faithfully and continually used?—I think it is an extra guarantee, and I endeavoured to explain my reason for thinking so.

1297. Is it the case that there are some standard gold articles that may be hall-marked without the duty being paid upon them?—Yes, those articles which are in the list of exemptions.

1298. Those need not be marked at all; but I mean is it the fact that articles made of gold of 15, 12, or 9 carats may be marked without paying the duty?—Only such things as watch cases; there is nothing else that I am aware of.

1299. And all those are voluntarily marked?—Yes, except watch cases; there is a legal obligation upon a British manufacturer to have watch-cases marked.

1300. You stated that it was desirable to keep on the duty in order to enforce the hall-marking?—Yes, in its present form.

1301. And yet there are articles which may be and must be hall-marked without paying duty?—There are. It is only watch cases that must be marked.

1302. And still watch cases, though marked, need not pay duty?—They do not.

1303. Consequently in that respect the necessity of applying the question of duty to those articles is not carried out?—It is a single instance; but I do not think it would apply to the whole trade at large.

1304. It applies in that instance?—It does apply in that instance; there is no rule without an exception.

1305. I want to know what proportion, in your opinion, of the highest quality of silver is used; is there much plate made of the very highest quality of silver?—I do not think there is very much, but we often do see it. I have no statistics upon which I could found an answer.

1305\*. You said that you wish that all articles that could be hall-marked should be compelled to be hall-marked?—Yes, I think it is a wholesome regulation.

1306. Would not it introduce an enormous amount of work to the Goldsmiths' Hall, far beyond anything that they have now?—I do not think that it would introduce more work than they would be prepared to cope with; they have an enormous amount now; in fact, the manner in which their work has doubled and quadrupled is something beyond description.

1307. Take the article of silver lockets; a vast number of silver lockets are made, are there not, although the silver may be somewhat inferior?—Yes, and I apprehend that in an alteration of the law such as is suggested, there would have to be a limit with regard to silver; anything under 10 dwts. would not be required to be marked, because the amount of profit on 10 dwts. of silver is so small.

1308. What is the weight of an ordinary silver locket?—I should say that an ordinary silver locket weighs under 10 dwts.

1309. Then you would care nothing for the quality, if it is produced in immense numbers, provided each article was small in itself?—You must have some regulation; those things are made to meet the demand for cheapness, and the more general they become the thinner they would become.

1310. What

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1310. What would be your limit of weight if only it was practicable to mark them, below which they should not be marked, or is there any limit?—The article must be above a certain weight in silver, to bring it within the law.

1311. And what with respect to gold?—Again we should give a somewhat smaller weight.

1312. What is your proposed weight?—I should say with regard to silver 10 dwts.; and with regard to gold, we should have to go down pretty well to 3 dwts.

1313. Take what might be seen in every crowd that you passed through in London a short time since, and perhaps is the case now, namely, silver collars; would they be exempt?—I believe, being elastic and full of joints, they would be things that would be bound to be exempt; anything that has so much solder about it as those things would have we must exempt.

1314. You would exempt lockets, would you not?—Not all lockets, but those of a certain weight.

1315. But suppose you do not exempt gold lockets; you see there is an enormous number of gold lockets now worn; if you see a girl 12 years of age, is she not wearing a gold locket?—Yes, and there is no reason why that should not be continued.

1316. You propose that those all should be introduced into the system of hall-marking?—Certainly.

1317. Are they prepared in the Goldsmiths' Hall, notwithstanding the excellent manner in which they conduct their business, to receive such an additional amount of business?—From what I know of the authorities, I think that they are prepared.

1318. And you would make this great change in the interests of protection?—In the interests of the public; you protect the public, and the man who is prepared to give fair value for their money.

1319. Do you suppose that every girl, such as we have got now in the large consuming populations, who decorate themselves with those sorts of ornaments which you wish to introduce into your system of marking, would be well acquainted with the hall-marking, and with the degree of purity that it was intended to represent?—I cannot suppose that a child knows what a grown man does; but the child does not buy a locket; it is bought by her parents probably, who do know, or should know.

1320. I ask you now, not in your shop, but in shops in which those articles are sold, whether you really believe, and I am quite sure you will give me a candid answer, that six out of 50 would know the difference between the hall-marking as to the value of the gold in a locket?—Yes, I should say most decidedly they would; at any rate they should, and if they do not, so much the better for them that the Legislature protects them against fraud.

1321. Is it protection against fraud, when they give for an inferior article, because it has got a hall-mark, the price that they would give for a superior article, simply because they fancy that the hall-mark is a guarantee?—It may not protect an individual, but that is no reason why that protection should be taken away.

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1322. Would you not almost have to limit the value of the metal used in those various articles to a higher standard, if you want to establish such a protection as that?—I do not think that is necessary. I think the tendency is to use those higher standards without limiting it at all.

1323. But you can get a hall-mark of an inferior quality put upon an article, provided it represents that inferior quality?—I can, of course, but I apprehend that those inferior qualities are not much used, or, if they are, they are not hall-marked; I have no doubt of that.

1324. In the case of the manufacturers of those cheap things, which you propose at once to be subject to hall-marking, would not it be a great impediment to the trade?—I think not. I might say that perhaps the value of the material forms no proportion whatever of the expense of the design. These very small articles are made in large quantities, but where the article is intrinsically of the value of 2s. 6d. in silver, I do not think it is any impediment to the trade at all.

1325. Now when you were hurried in business, is not it sometimes found that the delay occasioned by having to send to the hall is a delay which you would rather avoid, if you could do without it?—There are such instances, but I do not think that is any reason to interfere with the system.

1326. If an establishment were situated in the outskirts of London, and you had to send every one of those small articles to be hall-marked, what amount of delay would occur in a messenger taking them?—But those small articles are made by the gross; they are not made one at a time, as we in the ordinary way in our manufacture make them; they never could be produced unless they were made by the gross.

1327. Would you have them to be sent the day before they were to be hall-marked, or two days or three days before; and if so, how would you conduct the business?—I would send them, and in practice, except under cases of extreme pressure, they should be marked the same day that they are sent.

1328. You have seen, I suppose, a large number of messengers waiting to get their things marked at the Goldsmiths' Hall?—No, different people take their work there in the morning, and are told what time to apply for it in the evening, and that of course is regulated by the amount of work to be done.

1329. Have you ever seen a large number of messengers bringing their work day by day, and coming at night to take it away again?—I have seen them; I do not often go to the Goldsmiths' Hall myself, but I have seen them wait.

1330. Does not it impress you with the idea that if that were multiplied many fold, there would be a great glut of work?—I do not think it would be multiplied; the work of the manufacturers might increase, as it has increased for years past.

1331. Do you know what the difference in value as between the lowest kind of plated articles, and the highest kind of plated articles is?—I have handed in a small table of the articles of commerce for the information of the Committee.

1332. I want to ask if there is not the same argument for the protection of the public to be made in asking to stamp these standard plated articles, as well as the standard plate?—I think not;

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not; because a plated article is not a precious metal; it is only faced with a precious metal; it is not sold as being of any intrinsic value whatever.

1333. It is a compound of two metals, one silver, and the other something else, is it not?—Yes, it is base metal, faced with silver.

1334. And the inferior silver is in the same way a compound of two metals?—It is; but I do not call electro-plate a compound of metals at all; it is a base metal.

1335. Is not the plate or the facing sometimes so thick that you can engrave it?—Not electro-plated ware.

1336. Not in any case?—I apprehend not; I never saw it. In the old ware, which we call "Sheffield plating," we used to put silver shields on for the purpose of allowing the engraver to put the name on without cutting through the plating.

1337. I am now speaking of the best electro-plate?—In the best electro-plate, I apprehend that the graver would go through the coating of silver.

1338. You think that the public require no protection when it buys that kind of plated ware; but it does require protection, when it buys plate?—Yes, in buying electro-plate they are buying base metal.

Mr. *Bates*.

1339. The electro-plate is generally engraved before it is plated, is it not?—The ornamental portion.

Mr. *Courtney*.

1340. You sell plate of all kinds, old and new, do you not?—Yes.

1341. You keep a very large stock of both?—Yes; we have a very large stock.

1342. And the value differs very much with the age?—According to the age, and also according to the class.

1343. Is there any practical competition between the sale of a piece of old plate and a piece of new?—Not in really old plate, but there is a great amount of competition of course, between second-hand things.

1344. Supposing a person comes in with a Queen Anne's pot, for instance, the value of that is not regulated, I believe, by the price of new pots in the market?—No.

1345. Or in the case of a Charles I. tankard, it is a question independent of value in those matters?—Yes.

1346. Supposing you could make by any improvement in machinery, your new ware at a less cost, that would not affect the value of the old?—No; I can make my new ware at much less cost than I could buy the things you are speaking about.

1347. And I suppose if you could still further reduce the cost of the manufacture of new ware, it would not affect the value of the old ware?—Not of such articles as you have mentioned.

1348. Then, in fact, the taking off the duty, which reduces the cost of new ware, would not affect the value of old ware at all?—Not of that which can certainly be called antique; but it would materially affect articles made within 50 or 60 years.

Mr. *Courtney*—continued.

1349. Directly it got of any value as a bit of antiquity the duty would not affect the price?—I apprehend not.

1350. So that there would be no loss in the value of your stock so far as costly goods of that character is concerned?—My stock is, unfortunately, very small in goods of that kind. I cannot find enough of them.

1351. I understood you to say in answer to the honourable Member for Plymouth that you would not alter your price?—Not in articles which I sell at 1*l.* an ounce. I must naturally do so in articles which I have to compete with other workmen in, according to the demand for them.

1352. You would say, so far as the dealers were concerned, that you do not think the public would get the benefit of the reduction?—Not in anything except spoons and forks, or heavy goods.

1353. Then, of course, the loss in stock would be comparatively limited?—I think the loss would be rather more considerable than anybody fancies who has not given his mind to it.

1354. You said just now that there would be no benefit received by the public except in respect of spoons and forks, and things of that kind?—It would not make an appreciable difference in the price at which those things are sold now; but I believe that the remission of duty as connected with second-hand plate is a very serious loss to look forward to, and can only be estimated by the amount of the stocks held throughout London and the country.

Sir *Patrick O'Brien*.

1355. Referring to the evidence which I have before me, given by Mr. James Garrard in 1856, in reference to the effect of the hall-mark in America in connection with watches, I will read it shortly to you, and ask you whether you concur in that evidence as being applicable to the present time; he was asked at Question 2097: "Do you not think that this system of stamping comes under the old system of regulations which interfere with trade?" And his reply was: "It is a very long question to go into. It appears that it increases trade fraud in many things; for instance, we have detected watches passing through England which were made in Germany, bearing a false English hall-mark; those go to America bearing that mark, and they are more valuable. Then, again, in America they manufacture watch-cases to an immense extent which they stamp with our English hall-mark of 22 carats and 18 carats, because that gives them the higher value." Then Mr. Peacocke asked: "When you say 'stamp,' do you mean a forged stamp?" and the reply was: "Yes, they forge as much as they like in America." I ask you whether the evidence of Mr. Garrard, which I have just read to you, in 1856, is applicable, in your opinion, to the present time?—I think I answered before, that I believe that they do still forge, but I do not think to any great extent.

1356. Then so far you do not concur in the evidence of that witness?—No; there are several things in my uncle's evidence which I do not agree with.

Mr.  
*Garrard*.

1 July 1878.

Mr. FRANCIS BOONE THOMAS, called in ; and Examined.

Mr. Thomas.

Chairman.

Chairman—continued.

1 July 1878.

1357. ARE you senior partner in the firm of F. B. Thomas & Co., in New Bond-street?—Yes.

1358. You have personally, I understand, large experience in the trade?—I have.

1359. You, I understand, were chairman at the meeting of the trade which was held in St. James's Hall, last April, which has been already referred to?—I was.

1360. Was that meeting a representative meeting?—Entirely so, composed of manufacturers, retailers, and dealers in plate.

1361. What is the difference between retailers and dealers?—By a retailer I mean a shop-keeper; a dealer is a man who attends all sales, and travels the country for that purpose.

1362. That meeting, I understand, was convened in consequence of the intimation which the public had had that this present Committee was going to be applied for?—Yes.

1363. Was it convened by circular, or by advertisement?—By circular.

1364. Then, as I understand, at that meeting four resolutions were passed?—There were.

1365. Can you give me what the purport of those resolutions was?—I can.

1366. Reference has been made to them during the course of the evidence; were those resolutions carried by large majorities?—Three were carried unanimously. I think there were three who objected to the matter of the duties.

1367. Are you of opinion, as an individual, that it is inexpedient to abolish or alter the present duties on gold and silver plate?—I am.

1368. Will you tell the Committee upon what ground you hold that opinion?—I consider the hall-mark on gold and silver wares to be a safeguard to the public; it is also a guarantee of the quality of the silver, and that it has been tested by competent authorities.

1369. You have heard Mr. Garrard's evidence, have you not?—Yes.

1370. May I take it that, substantially, you agree with him?—Yes, I agree with him.

1371. There were dissentients at that meeting, were there not?—There were six altogether.

1372. Were they country dealers?—Three London and three country silversmiths.

1373. How many were present?—There were between 70 and 80; three present objected, and three by letter.

1374. Was Mr. Pyke, of 138, New Bond-street, present?—He was.

1375. Did he object?—He did.

1376. Have you anything which occurs to you as not having been said by Mr. Garrard which you would like to mention to this Committee?—It appears to me that the process of assaying is more or less a difficult one; therefore, the public cannot ascertain the value of gold and silver plate, before they buy it, without the aid of the hall-mark. I do not believe that the hall-mark is an obstruction to the trade.

1377. Would not more parties go into the trade if the duty were not payable; would not less capital be required?—Possibly less capital would be required, but I do not think more would be embarked in the trade. Manufacturing is not such a profitable concern.

1378. You do not desire to open it?—I do not object to competition; I do not think that if the duty were taken off it would induce more manufacturers to engage in it.

Mr. Goschen.

1379. I see that this resolution was passed at the meeting: "That considering the high estimation in which British plate is held in all countries, on account of its general excellence, and the guarantee of the quality of silver given by the Government mark, it is most undesirable to interfere in any way with the present system of hall-marking." Do you consider that the trade would be able to hold its own if hall-marking were abolished?—I think, speaking of the trade, that its productiveness would always be maintained on account of its excellence; but I attach great importance to the hall-mark, as being a guarantee of its quality. I think you must not mix up the excellence of the quality and the hall-marking, which are two totally distinct things.

1380. I agree with you, but how is it that you mix them up in your own resolution, where you say that "considering the high estimation in which British plate is held in all countries on account of its general excellence, and the guarantee of the quality of silver given by the Government mark, it is most undesirable to interfere;" you have unanimously mixed them together?—Yes.

1381. Do you now, when it is put to you, on the whole, consider that those questions should be treated separately?—No; I think they are quite distinct; there are two reasons why plate is held in such high estimation, on account of the excellence of the work, and the guarantee given to it by the hall-mark; the taking away of the hall-mark would not make any difference in the excellence of the work.

1382. It surprised me a little, that in your resolution on the question of hall-marking, you introduced the high estimation; and I wish to know whether the high estimation in which British plate is held on account of its general excellence, would not be retained even if the hall-marking were abolished?—I should hope it would; no doubt the trade would still continue to manufacture as good plate.

1383. Then the point to which you wish to retain it, is confined to the guarantee of the quality of the silver?—Yes; because it guarantees the quality of the silver.

1384. And that it assists you as compared with foreign manufacture?—Yes; when we see the English hall-mark we know the plate to be of a certain intrinsic value.

1385. Taking the great jewellers, and the great trade in England in gold and silver plate, would your customers not be satisfied with their individual guarantee, that the article which they produced was genuine?—I do not see why they should.

1386. It would be wrong, would it, to say that you desire to be protected by this?—I think that the hall-mark is a protection to the public, and also to the trade.

1387. And, therefore, you wish it to be retained as a protection to the public?—Yes.

1388. Otherwise

*Mr. Goschen*—continued.

1388. Otherwise you think that they would not have a sufficient guarantee?—Certainly not.

1389. Would not they have the same guarantee as they have in many other trades; if they came to Messrs. Garrard & Co., or to any other dealer whom they could trust, would they not be satisfied that they had pure gold and pure silver?—I think that the public would be better satisfied with the hall-mark, however respectable a firm may be; it is a recognised guarantee, and a known guarantee all over the world.

1390. Then I see you have put on record that the whole of the trade want the retention of the duties upon their trade?—I believe so, with few exceptions.

*Mr. Whitwell.*

1391. Do you manufacture any of the articles which you sell?—I manufacture my own patterns.

1392. The principal part you buy from others?—Yes.

1393. You have nothing to do then with putting the hall-mark upon the articles that you buy from others, only on the articles which you manufacture yourself?—The hall-mark is put on by the Goldsmiths' Company.

1394. In the case of articles which you buy from others, do you depend upon the hall-mark for the quality of the gold and silver which you purchase?—In the case of silver (and I only speak as to silver) I depend upon the hall-mark.

1395. More than upon the person that you buy from?—Yes.

1396. I think you said that you wish to keep the duty and the hall-marking separate?—No, I wish them to go together. There is a great feeling in the trade that if the duty was done away with the hall-marking would soon follow.

*Mr. Goschen.*

1397. You do not love the duty for its own sake?—No.

*Chairman.*

1398. You value the hall-mark so much that you would pay the duty rather than lose it?—Yes, I think so.

*Mr. Goschen.*

1399. Does the public pay the duty, or do you pay it yourselves?—The public eventually.

*Mr. Bates.*

1400. If the duty was taken off would the public get any benefit?—They might in a few cases, such as forks or spoons or heavy plate, but I do not think it would make much difference to the public.

*Mr. Whitwell.*

1401. Then it would be a great benefit to you if the duty was taken off, because you would pocket it all?—I do not say that.

*Mr. Bates.*

1402. Have you a very large stock?—Very large.

1403. Therefore if the duty was taken off, it would be to your detriment rather than anything else?—If the Government did not return it to us; but I imagine they would do so.

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*Mr. Bates*—continued.

1404. Not on second-hand plate?—No, not on second-hand plate, only on existing stocks of new plate.

1405. But you have a very large stock of second-hand plate, have you not?—Yes.

1406. Therefore it would fall very heavily upon you?—Yes, it would undoubtedly alter the value of second-hand plate.

1407. Supposing that this hall-marking were done away with, do you think that silver plate, generally speaking, would be kept up to the standard?—I do not. Every manufacturer would be free to make his own wares of any quality of silver he pleased.

*Mr. Thomson Hankey.*

1408. Do you believe that British gold and silver plate is more esteemed in foreign countries than that manufactured elsewhere?—I think one reason that English plate is esteemed abroad is on account of the hall-mark. People know what they are buying.

1409. Have you not heard that the manufacture of gold and silver plate has of late increased very considerably in the United States?—I have heard so.

1410. Where they have no hall-mark?—Yes, where they have no hall-mark.

1411. Then it is not due to the hall-mark that any great desire exists for purchasing gold and silver plate out of England?—No.

1412. But that is at variance with what you have just said, that you thought that gold and silver plate were bought abroad on account of the English hall-mark?—It finds ready sale and market abroad on account of the hall-mark.

1413. Is there any large export of gold and silver plate from this country of British manufacture?—Not very large.

1414. But the manufacture has increased in the United States, and the whole manufacture of the world has been on the increase?—I imagine that the plate made in America has been made for their own use.

1415. Do you think that they do not export any?—Very little.

1416. Then the American market does not interfere at all with the British market?—I think not.

1417. Then practically, can you account in any way for the fact, that the gold and silver plate manufacture has not increased in England during the last 20 years, whereas the population and wealth of this country have increased enormously?—There has been an immense variety of smaller articles made than formerly; large articles, such as candelabra, tureens, dishes, &c., are now made mostly in electro-plate, but the amount of ounces has been made into an innumerable variety of articles, and those articles are of a much lighter and more artistic character than formerly.

1418. Still nobody puts additional value upon them out of England, so far as I can understand?—Yes, they do.

1419. I thought that you said that the increase of trade does not indicate that, because there is no increase of exportation?—That I cannot tell you; I believe that there is about one-tenth, or 8,000 l. drawback received upon goods sent out of this country annually.

1420. What I ask is, whether you believe that the export has increased during late years?—No, I do not think it has.

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1421. Therefore,

*Mr. Thomas.*

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Mr. Thomas.

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Mr. Thomson Hankey—continued.

1421. Therefore, while the consumption of plate has probably increased all over the world, we have not been the suppliers of it?—I do not know whether the consumption of plate has increased.

Mr. Freshfield.

1422. I understand you to think the apparent stagnation of trade arises from the very largely increased quantity of electro-plated goods that are in use?—Yes.

1423. I understand you to say, that you think that the hall-mark is a guarantee of the quality of the English manufacture?—The hall-mark is a guarantee of the quality of the silver.

1424. But in the case of the hall-marking of foreign watch cases, is not the mark, so far as it would be a guarantee of English manufacture, a deception?—I really know nothing about watch cases.

1425. But must not that be so?—I have given no attention to it; I do not sell watches, and therefore know but little about them.

1426. But you say that the hall-mark on plate of English manufacture is a guarantee of the quality of the gold?—Yes, of gold and silver.

1427. If you mark foreign cases with the hall-mark, to a certain extent, you delude people into the belief that they were made in England?—I believe that is done.

1428. Is it right that that should be so, that foreign watch cases should be hall-marked, leading to that delusion?—Certainly not.

1429. Do you think that they should be made liable to pay duty if they are hall-marked?—I have given no attention at all to watch cases.

Sir Patrick O'Brien.

1430. The hall-mark, so far as the Legislature are concerned, was simply instituted as a test of value; it was meant to imply that the British manufacturer was merely to look at it as the standard of its value?—I should imagine so.

1431. The intention of the hall-mark being imposed upon plate was merely to test the standard so far as the Legislature was concerned, and had no regard to the place at which the article is made?—There is a particular mark put for the place where it is made.

1432. But it is meant merely to test the standard of value?—That the silver is of a certain value.

1433. You stated that probably if the duty were removed, the public would not very greatly benefit; may I ask if the duty and the hall-mark were both taken away, would not the increased competition that would consequently arise, enable the public to benefit?—Were there no duty and no hall-mark, any manufacturer would be free to make his goods of any quality that he liked.

1434. But I am now merely asking with reference to the fact that under no circumstances would the public benefit by the removal of the duty; assuming both the duty and the hall-mark to be removed, would not the competition arising therefrom enable the public to benefit by the withdrawal of the duty?—I do not think so.

1435. Would not the very competition make it necessary to regard the fact of its having the duty reduced?—It might make a difference on a few articles, such as forks and spoons, and the heavier articles of plate.

Sir Joseph M'Kenna.

1436. There are two objects for which the hall-mark is used now, one for the purpose of registering the standard of value, and ascertaining it, and the other with respect to the duty; do not you think that it is quite possible to retain the hall-mark for the purpose of the standard of value, and at the same time to reduce the duty more or less?—It is quite competent for the Government to reduce the duty and retain the hall-mark.

1437. Do you see any great objection to the reduction of the duty to any sensible extent?—No.

1438. Then you would not object to a reduction of the duty so far as the trade is concerned if you could retain the hall-mark?—I do not think that the trade would object to the duty being taken off, supposing they had a guarantee that the hall-mark would be retained.

1439. You consider from your knowledge of the trade, that the trade would be on the whole very much in favour of a reduction of the duty, if the hall-mark could be retained?—Yes.

1440. May I take it as your opinion that the duty ought to be reduced?—I do not see any object in reducing or taking the duty off; it is easily collected.

1441. May I ask if this would be an object; it is the object of most States that a large amount of the precious metals should be held amongst the community composing the State; that is the State object. As the law works at present, it appears to some persons that a duty something like 30 per cent. *ad valorem* on the lower class of silver goods operates as a kind of veto against people putting by the precious metals, or putting by silver in that form, and having it by them, and in that way it acts as a discouragement; if we could bring the coarser articles of plate, such as spoons and forks, down to a figure that would most nearly represent the actual bullion value of silver, do not you think that it would encourage the holding of property in that shape to a much greater extent?—Yes, perhaps to a small extent.

1442. Even more than at present?—I think that if the duty were taken off silver, it would cause no very great increase in its manufacture, for two reasons, and one is this: because many people will not have silver at any price, on account of the worry and responsibility attaching to the possession of it. Then, again, it is an article which can be easily melted and got rid of; therefore, if it were possible to buy forks and spoons at 2 s. 6 d. per oz., I do not believe there would be many more sold.

1443. I can understand that that applies to a certain number of persons, because the possession of a large quantity of plate is a trouble to a man's mind?—I will give you another reason; in the present day we are living, as it were, in an age of luxury and display; you can buy in electro-plate a large number of articles of utility and ornamentation, in the using things that we do not come in direct connection with; so we get a greater display form a much smaller amount; in fact, people as a rule will not lock up large sums of money in silver in the present day.

1444. Here again comes in the idea of a standard, that the hall-mark is looked upon as very valuable, and persons come to understand it, and are very critical in that respect; and in a moment it is known whether the plate which causes

Sir Joseph M<sup>c</sup>Kenna—continued.

causes so much display is of Mr. Garrard's production, or Mr. Elkington's, and more or less value is attached to it in the mind of people; but what I want to bring your mind to is this: Mr. Garrard, in reply to a question which I put to him just now said, that there is no tax upon me, if I chose to make plate for myself, and that I could make plate of sterling silver, and use it, but I was not bound to have the hall-mark upon it unless I chose to expose it for sale; are you aware that that is the law?—No, I think you rather misunderstood Mr. Garrard; a manufacturer may make an article in plate, and I believe he can use it himself, and not pay duty upon it, but a manufacturer only.

1445. Is there anything to prevent any man from becoming a manufacturer in that respect?—Yes.

1446. I want to show you the danger that the trade is under at present?—I think this is a question which perhaps will bring up some discussion, and rather mislead the Committee; it is a question that will arise with regard to foreign plate, and it would be undesirable to mix this question up with the importation of foreign plate.

1447. I do not know; I have my own views in that regard; the present complaint is, that the duty that is levied upon silver plate is excessive, having relation to the intrinsic value of the article itself, and that it is most oppressive upon the coarser articles of plate, using this term relatively; Mr. Garrard, in reply to a question which I put to him for my own information, stated that there was no law to impose a duty of 30 per cent. upon plate, which I chose to manufacture for myself, because he said that the duty only came into play when it was exposed for sale; I want to ask you a question, as a practical man acquainted with the trade, whether the trade does not labour under this danger at present, that any man who chooses to make, or wishes to make for himself a thousand ounces of silver plate, say forks and spoons, can go and make it and use it, but after using it for 10 or 15 years, or 20 years, if his family choose to get rid of it, they can get rid of it as silver, not exposing it for sale; they could melt it down if they chose, and cast it themselves, and would use it themselves for a less price than if they had invested their money in hall-marked plate?—You have manufacturers here who can answer the question better than I can.

Mr. Torr.

1448. You alluded just now to foreign plate, and you thought that some confusion might arise out of the question asked you by the honourable Member with regard to the price made by buyers of foreign plate; in what way did you mean?—What the trade would desire to bring before this Committee is simply the rules as affecting the importation of foreign plate into this country.

1449. Will you state what you wish to say on this question?—The law as now existing is very faulty; foreign plate, as we know, has been for many years brought into this country. Several years ago there were large quantities of fine old Dutch plate introduced into this country, and it found a ready sale; but in time the supply became exhausted, and foreign manufacturers began to make plate expressly for this market, and of

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Mr. Torr—continued.

late we have had the country flooded with an immense quantity of the greatest rubbish conceivable.

1450. From what countries?—Principally from Holland; it is the greatest rubbish in workmanship, and of the most debased quality in silver, in value something like 3*s.* per oz., as against 5*s.*, our standard.

1451. How can they import this silver; is it not required to be hall-marked before you could expose it?—This silver is brought into our ports, the Customs stop it, and a duty of 1*s.* 6*d.* per oz. is paid upon it; it is then handed to the importer, passes into the market, and is sold to you, to me, or to anybody. Every English manufacturer is bound to make plate of the authorised standards, and send it to an assay office to be hall-marked; if on assaying it is found not to be equal to standard it is broken up and returned to the manufacturer. What we complain of is that this foreign rubbish is allowed to come in on paying the 1*s.* 6*d.* per ounce duty, but it is not hall-marked; there being no power in the Act of Parliament to compel the Customs to send it to an assay office to have it assayed and marked.

1452. Can it be offered in the shops?—It is offered. English manufacturers thus standing at 2*s.* an ounce to the bad, in the quality of the silver.

Sir Joseph M<sup>c</sup>Kenna.

1453. Is that permitted by law; I know it is done in practice, but is that permitted by law on the part of the trader?—There is no law to compel the Customs to send this plate so imported to any assay office; when I say an assay office, I mean a Government assay office such as Goldsmith's Hall.

Mr. Torr.

1454. Can you, as a shopkeeper, offer it in your shop?—Legally I cannot until it has been stamped by the assay office; every person bringing foreign plate into this country pays the duty of 1*s.* 6*d.*, and may take it with him, there being no law to compel him to have it assayed and marked; but if a dealer sells foreign plate before it has been assayed and marked he is liable to a 10*l.* penalty.

1455. Then part of your proposition is, that all silver imported should bear the hall-mark?—First, that all silver imported should be of the same standard as our own.

1456. And you cannot do that except by having a hall-mark?—Except by a hall-mark, and then it should be stamped with a distinct mark or marks from those used on British silver.

1457. It should be marked as a foreign production?—Yes, to show distinctly that it is a foreign production.

Sir Joseph M<sup>c</sup>Kenna.

1458. Even if it comes up to the standard?—Yes, it should be standard before it receives the mark; put foreign plate on the same footing as English, and let the foreigner make his silver of the same standard as our own, and then let it have a distinct hall-mark, denoting that it is of foreign production.

Mr. Torr.

1459. You say that if exposed for sale in a shop it must be up to the standard?—Yes.

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1460. Cannot

Mr. Thomas.  
1 July 1878.



*Mr. Thomas.*

1 July 1878.

1460. Cannot a silver mug be brought in for the use of an individual without a hall-mark?—I argue that every bit of foreign plate in this country has paid a duty of 1*s.* 6*d.* an ounce; you may bring in stuff worth only 6*d.* an ounce, and the Customs take the duty and pass it on.

*Mr. Goschen.*

1461. You have not met with bad plate abroad, have you?—No, but I know that they do manufacture and import this bad plate, and we want to prevent the wholesale importation of the rubbish that is now coming into this country made expressly for this market.

1462. I thought you said that it could not be sold?—It cannot be sold legally; I am liable to a 10*l.* penalty for selling a piece of that plate.

*Mr. Campbell-Bannerman.*

1463. How does it usually get upon the market?—Through the dealers and others. The manufacturer abroad makes it, and then brings or sends it to this country; the Customs receive a duty of 1*s.* 6*d.* per ounce, and it is afterwards floated in London or elsewhere.

1464. How do they float it?—By means of auction, and selling it to dealers and shop-keepers.

*Mr. Muntz.*

1465. And they are liable to a penalty for it, are they not?—Yes, and they are occasionally fined.

1466. If you have a law making those who sell it liable to a penalty, what more stringent law do you want?—We want this silver made to the English standard or kept out of the country.

*Sir Charles Russell.*

1467. Is it your opinion that a large amount of fraudulently marked plate is sold in the country at present, the mark being placed upon the plate for purposes of fraud?—If you ask me whether the English hall-mark is forged, I do not think it is to any large extent.

1468. I suppose the difficulty of smuggling it into the country already marked would be very great; but what I want to ask you, as a practical vendor of old plate yourself, is, how is it that gentlemen who are collectors are constantly finding that they have got plate with what they considered the right marks upon it, but which are proved by experts afterwards to be fraudulent?—I have not known so many cases of that; there may exist fraudulent hall-marks but I do not think there are many; there may be cases of the transposition of marks which may be more common, but I do not think there are many forged hall-marks; I do not think it is carried on to any extent; I believe there are some, but not to any large extent.

1469. You said just now that with the exception of spoons and forks you do not think that the remission of the duty would benefit the public or the trade; it constantly happens that I have to take deputations to the Chancellor of the Exchequer asking for the reduction of duties, and on every one of those occasions they always say that whenever the duty has been removed there is an immediate expansion of trade (it is a familiar phrase), and they cite a great many instances to the Chancellor of the Exchequer, and

*Sir Charles Russell—continued.*

I want to know what is there that is so peculiar in your trade?—I do not think that would apply to the gold and silver trade, because as I have before mentioned that if the duties were taken off there would not be any great expansion, because many people will not buy silver at any price; and then again the increase of electro-plate has greatly interfered with the expansion of the silver trade.

*Mr. Torr.*

1470. Would you think that the introduction of electro-plate would account for the non-spread of sterling silver?—I think so; there is a far greater number of ounces of silver worked up in the trade than formerly, and if you take the view that thousands and thousands of ounces are used in the manufacture of electro-plate.

1471. You think that the diminution in the manufacture of silver is accounted for by the immense increase in electro-plate?—Yes.

1472. Especially in large articles?—Yes.

*Mr. Muntz.*

1473. Are many of the articles which are manufactured at your establishment hall-marked?—Everything in silver; I am not a dealer in gold; I am a silversmith simply.

1474. You said that the law was very faulty, but if any one said that they found the law worked remarkably well you would think that he made a mistake?—I think so; the law is very faulty as affecting the importation of foreign plate.

1475. You do not see that there would be any harm to the trade if hall-marking was continued, but made permissive instead of compulsory?—We must have it compulsory.

1476. But at present you have a large quantity of surreptitious stuff which is not hall-marked?—Yes.

1477. And you cannot prevent that, although there is a heavy penalty for doing it; would not it be better for your silver trade that you should continue to have your articles marked at the office if you thought proper, and then strangers would see that yours was a genuine article, and that would enable you to cope with other people?—I would rather have the guarantee of the hall-mark before the respectability of any firm.

1478. And if you had your goods hall-marked would it not prevent those people selling that which had not the hall-mark, if it was permissive?—People would certainly prefer to buy a hall-marked thing to one that was not hall-marked.

1479. Therefore if the law were made permissive you would have that advantage, at least, that your goods would be seen at once to be genuine, instead of the rubbish which you just now mentioned?—Yes, in that case it would be so.

*Mr. Campbell-Bannerman.*

1480. You said, a few minutes ago, that there were a few cases of fraudulent imitation of the hall-mark, and there are cases of transfer?—Yes.

1481. That is to say, I suppose, the hall-mark is cut off one piece of plate and put into another?—Yes.

*Mr. Bates.*

1482. That is not very often done, is it?—We do not often find it; it is very difficult to trace.

1483. In



*Mr. Goschen.*

1483. In the ordinary trade, does the public look at the hall-mark when it purchases?—Certainly; I think they expect the hall-mark. If you were buying silver you would naturally expect the hall-mark to be upon all articles of plate in dealing with any respectable house.

1484. Then coming back again to that rubbish that you spoke of, which is exposed and sold by the dealers; if the public looks to the hall-mark how is it that they do not discover it?—There is no hall-mark upon it.

1485. Why do not they refuse to buy it?—The public rather trust you; they will not, in a measure, judge for themselves.

1486. You have just told us that that they look to the hall-mark; if they look at the hall-mark why should they go and buy rubbish?—This rubbish which comes in is sold as foreign plate, and it is known that there is no hall-mark on it.

1487. And it is known that it is rubbish?—The public generally are not aware of that fact.

1488. The dealers know that it is rubbish?—Yea. Dishonest people sell it, knowing themselves what they are dealing with.

1489. Then it does not interfere with what you may call the genuine trade, and it does not interfere with the ordinary trade?—It greatly interferes with the lawful trade of every respectable honest dealer.

1490. But I do not understand how it does if the public are warned by seeing the absence of the hall-mark?—This stuff is sold as antique foreign plate, but bears no hall-mark as such.

1491. It is not sold as English plate, on your own assumption; it is sold by dealers who are not very honest, because they are breaking the law?—They are breaking the law.

1492. Therefore, the public goes to buy plate without the hall-mark from dealers of no first-rate standing?—I will not say that; I say that many people deal in foreign plate, and this rubbish, whom you would not expect to do so; people go to them upon their known character and buy this stuff.

1493. Are there dealers of sufficient reputation who do that, that have joined in the general resolutions?—No, I do not think many dealers have joined in them who deal in that class of plate.

*Chairman.*

1494. It comes to this, does it not, in substance, that this foreign plate is, so to speak, smuggled goods?—No, I contend that every piece of plate in this country has paid duty; I have my private opinion otherwise; but that is an assumption.

1495. Still there are two requirements by the law, the payment of duty, and the hall-marking?—Not on foreign plate until it is exposed for sale.

1496. But before I could go to your shop and buy a piece of foreign plate, I know that by law two things must be done first: it must have paid duty, and then it must have been hall-marked?—Yes.

1497. If I choose to go elsewhere, and buy a piece of plate which has only complied with one of the two requirements, and I get cheated, I have nobody but myself to blame?—Yes, that is so.

1498. But there is a large number of people that do go to the next door and buy this foreign plate without seeing that those two requisites

*Chairman—continued.*

have been complied with?—Yes, it is sold without being hall-marked.

1499. How does it agree with your idea that the hall-mark is a great protection to the public, when it has been pointed out that there is a ready sale for plate which has not got the hall-mark on it?—People buying plate with the hall-mark have a guarantee that it is English, and that with this foreign rubbish, which no respectable house will sell, they have no guarantee; they merely take a man's word that it is foreign plate, and upon that they buy it, being ignorant of its quality.

*Mr. Goschen.*

1500. Then the dealer is at the mercy of every person to whom he sells, because he makes himself liable to a penalty of 10 l.?—Yes, certainly.

1501. So that for an extensive dealing in this foreign plate without a hall-mark, you require a dealer who is willing to break the law?—Yes, and who does break it.

1502. And a dealer who is willing to run the risk that the man who buys from him may bring him to justice?—Yes.

1503. And you require a public who is willing to deal with this dealer, and to buy plate that is not hall-marked?—Every piece of foreign plate that you sell which has not the English hall-mark, with the additional F, you are liable to a 10 l. penalty for, and you run that risk in selling it.

*Mr. Muntz.*

1504. With such a heavy penalty you believe that the trade continues to a very large extent?—I do not say to a large extent; some portion of the trade still sell it.

*Mr. Freshfield.*

1505. It requires not only a man who smuggles the piece of plate, and a purchaser who wilfully breaks the law, but it requires a careless administration of the law which exists, because it is clearly illegal, as I understand it, to import foreign plate, and sell it here without one of the authorised stamps?—Yes, that is the law.

1506. And the Goldsmiths' Hall are bound to see that the law is carried out, and they fail to do so?—The Goldsmiths' Company can only act upon information given to them, which when received is generally promptly acted upon.

1507. I have had put into my hands at this moment a notice which has just been issued by the Goldsmiths' Hall, and you are probably aware of the fact that it says this: "It having been brought to the notice of the Goldsmiths' Company that articles of silver plate in considerable quantities have been for some time past imported into this country from foreign countries, and sold without having been assayed and marked as required by law, the wardens of the company consider it their duty to remind dealers in gold and silver plate of the laws which prohibit the sale of foreign plate of gold and silver imported into this country, unless it be of one of the authorised standards, and shall have been assayed and marked; and the wardens at the same time notify that they will consider it their duty to institute proceedings at law against offenders in every case of an offence committed in breach of the law which shall be brought to their notice and capable of proof;" dated the 15th December 1877?

*Mr. Thomas.*

1 July 1878.

Mr. Thomas.

Mr. Freshfield—continued.

1 July 1878.

1877?—That notice was sent round by the Goldsmiths' Company upon a representation made to them that there was a large quantity of rubbish being imported into this country.

1508. But if the law is clear on the point, the fault is not with the law, but with the administrators of the law?—Yes.

1509. And now it appears as if the Goldsmiths' Hall have awoke to their duty, and are now going to enforce the law, and this notice has been sent round to the trade?—Yes, in December last.

Mr. Whitwell.

1510. Have any convictions taken place in consequence of that notice?—I believe Mr. Priedeaux could give you information upon that. With reference to the foreign plate, why the regulation is so hard upon the trade is this, which I would wish to press the matter upon the Committee's attention. As the law now stands, the public can bring into this country foreign plate, pay the duty, and take it into use, and until it is offered for sale are subject to no fines or penalties; whereas if we dealers, in the exercise of a fair and legitimate source of our trade, expose it for sale without first having had it assayed and hall-marked, although the duty has been paid,

Mr. Whitwell—continued.

we are liable to be immediately fined. This is a gross absurdity, and a great injustice to the trade.

Sir Patrick O'Brien.

1511. Referring not to this rubbish which you told us of, but to this really good artistic Dutch plate, that was sold by respectable houses, was it not?—Yes.

1512. Was this old Dutch plate hall-marked?—It bore their hall-mark, not the English one.

1513. It did not comply with the regulations of the British law, although sold by respectable traders; and you object to this rubbish, and the way in which it is dealt with?—Yes.

1514. Before that rubbish commenced to be made in Holland, there was really old artistic Dutch plate imported?—Yes.

1515. But that country was at length exhausted by this sale?—Yes.

1516. And that plate was sold by respectable houses?—Yes.

1517. Had it the British hall-mark before it was sold?—No.

1518. Then the respectable houses had not complied with the law?—Certainly not, as far as the hall-marking, but the duty had been paid as required by law.

*Monday, 8th July 1878.*

## MEMBERS PRESENT:

Mr. Bates.  
Colonel Blackburne.  
Mr. Campbell-Bannerman.  
Mr. Freshfield.  
Mr. Goschen.  
Mr. Thomson Hankey.  
Sir Henry Jackson.  
Sir Joseph M'Kenna.

Sir Patrick O'Brien.  
Mr. Onslow.  
Mr. Puleston.  
Sir Charles Russell.  
Mr. Talbot.  
Mr. Torr.  
Mr. Whitwell.

SIR HENRY M. JACKSON, BART., IN THE CHAIR.

Mr. WALTER PRIDEAUX, called in; and Examined.

*Chairman.*

1519. You are Clerk to the Goldsmiths' Company, are you not?—I am.

1520. And have been so for a good many years?—For 26 years; but I may mention that previously to that time I was partner of the late clerk, Mr. Lane, and in point of fact, I commenced my business life at the Goldsmiths' Hall in the year 1829.

1521. You are the clerk and the legal adviser?—Yes, as clerk, I am the legal adviser of the Goldsmiths' Company.

1522. You have prepared, for the information of the Committee, a document which will be put in evidence, and which is entitled, "A Summary of Acts of Parliament and Charters relating to the Goldsmiths' Company"?—I have, at the request of the Committee, which you communicated to me the last time I was here.

1523. The Committee, I am sure, are very much indebted to you, but, as a matter of form, I must ask you whether you can vouch for the correctness of the statement?—I have examined every single statute since I undertook the preparation of it, including all the statutes in Norman French. In fact, it is a very difficult thing for a man to vouch for the absolute accuracy of a document which he has had only from a week to ten days to prepare, but I assure you that I have verified my previous information upon the subject of those charters and Acts of Parliament by looking at the originals, or prints of the originals, in every case.

1524. I have myself, and I have no doubt many honourable Members have done the same, been very carefully through this summary, and it really gives us all the information that we can possibly require, so that I do not propose to trouble you with any detailed examination upon it; if any honourable Member desires any further information, I am sure you will afford it; but before I leave that subject I want to ask you one question about a part of the case which is personally interesting to me: the understanding of  
0.117.

*Chairman—continued.*

the trade is, that the Goldsmiths' Company will not, as a fact, mark a watch-case unless they mark the whole of it; that is to say, they will not mark the outside cover unless they mark the dome, and unless they mark the handle, and so forth; is that true as a fact?—Yes. That does not apply only to watch-cases; the rule established in the Assay Office, and it appears to be a rule established in accordance with the provisions of the 12 Geo. 2, cap. 26, is that the office requires to see every part of an article which constitutes the article when it is completed, and sent for assay, and if the assay officer finds that any part of the complete article is wanting, he refuses to deal with the work until it is complete; in fact, the manufacturer cannot have it hall-marked until that want is supplied. You can see easily why that is; it is because if it were not so, an article might be sent incomplete, and the parts of the article which had been sent might have the hall-mark, and the piece which was absolutely necessary to the article in its complete state might be put in which might be of base metal.

1525. Could you, without too much trouble, refer the Committee to that page or passage in your synopsis which deals with that enactment?—In the synopsis, to a great extent, the Acts are only abstracted; I had better, perhaps, therefore, refer to the principal Act of Parliament itself. It is the 12 Geo. 2, cap. 26, and by sec. 11, the Assay Office is required to see "whether all the prices are put or affixed together or not, which are intended to be put or affixed together." That section gives us the power "to adjudge, order, and determine what solder is necessary in or about every piece of plate which shall be brought or sent to the said Assay Offices, to be assayed or marked, and how forward in the workmanship thereof the same ought to be, and whether all the pieces are put or affixed together or not which are intended to be put or affixed together."

1526. Is solder much used in watch-cases?—I think

Mr.  
Prideaux.

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Mr.  
Prideaux.  
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Chairman—continued.

think that has nothing to do with watch-cases; solder applies to large articles of plate; I imagine there is no solder used in a watch-case.

1527. There is one other question of detail which I want to ask you; could you refer the Committee to the enactment which enabled registered workers to use the assay of any office in the country instead of the local assay office, which they were compelled before to use?—That is by a modern Act of Parliament; the 17th and 18th of Vict. chap. 96, sec. 2, which provides that “Workers or dealers in gold or silver may register their names, marks, and places of abode at any assay office or offices established by law which they may select, and may thereupon have the wares which are manufactured by them assayed and marked at such office or offices without being liable to any forfeiture or penalty imposed by any Act now in force for not registering their names, marks, or places of abode, or for marking, selling, or exporting such wares without being marked at a particular assay office.”

1528. May they do that at any office or offices, or only at one?—That question never occurred to me before, but I have no doubt the intention was that it should only be at one office; there can be no doubt about that, I think. They may register “at any assay office or offices established by law which they may select;” the word “one” is certainly understood there.

1529. When were dealers, as distinguished from workers, first brought within the law?—The word “dealer” is first used in the 7th and 8th of Victoria, chapter 22, which is the Act under which all our proceedings for offences, and all our proceedings for penalties are instituted, and that is a very important Act of Parliament. I think I have said in my summary, that practically for London, the two Acts of Parliament, the 12th of George the 2nd, and the 7th and 8th of Victoria, contain the general law by which our proceedings are regulated. The 3rd section provides that “Every dealer who shall sell, exchange, expose for sale, export, import, or attempt to export or import, or who shall have in his possession without lawful excuse (the proof whereof shall lie upon him) any ware of gold or silver, or base metal, having thereupon any forged or counterfeit mark, or any mark which shall have been transposed or removed, is made liable for every such ware to a penalty of 10 l.”; that is the clause which enables the Goldsmiths’ Company to sue a dealer for a money penalty without proving a guilty knowledge; that clause is one of the most important clauses that we have in the Act. I was consulted in the preparation of this Act of Parliament. The great difficulty of the Goldsmiths’ Company at that time was, the proving a guilty knowledge of a forged mark; in fact, we hardly ever succeeded in our prosecutions unless we found the marks themselves. A man had sold a thing with a forged mark upon it; but there is a very great difficulty, particularly in the case of a prosecution for felony, to persuade a jury that the man did it knowingly; almost any excuse is received by a jury, as lawyers know to be the fact in criminal cases where the wrong sued for is *malum prohibitum* rather than *malum in se*. In our communications with the Board of Trade it occurred to us that a dealer is bound to know his business, and therefore we asked the Legislature to give

Chairman—continued.

the Goldsmiths’ Company the power of suing a dealer for a penalty, if he sold wares with forged marks upon them without the necessity of proving a guilty knowledge; a subsequent section of the Act took away any apparent hardship on the dealer from that proceeding, by providing that in any case in which he proved from whom he had obtained the articles, he should be exempt from the penalty. It is in that section that the word “dealer” occurs; the word dealer runs throughout the Act of Parliament. Then we come to the interpretation clause at the end, which provides that the words “dealer in gold or silver wares shall mean and include every goldsmith and silversmith, and every worker, maker, and manufacturer of, and trader and dealer in gold and silver wares.”

Mr. Ouslow.

1530. The word, “dealer,” then, does not include “auctioneer?”—I think an auctioneer who sells would be included; it says, “Trader and dealer;” surely an auctioneer is a dealer. I have not had to consider the question, but I think that in connection with the 3rd section it is so, because it provides “that every dealer in gold or silver wares who shall sell;” now, an auctioneer sells.

Chairman.

1531. Do the Goldsmiths’ Company, in fact, prosecute for any infringement of those Acts of Parliament and Charters?—In every case in which information is given to me in which, after reviewing the evidence, I feel confident of a conviction, and feel justified in going on. I may tell you that in looking back for 10 years, we have prosecuted six people for felony and forgery, proving a guilty knowledge, and we have succeeded in all of these prosecutions but one, where the jury gave the man the benefit of the doubt. We have proceeded for penalties against 13 persons.

1532. Did you do that at the public expense, or at your own expense?—We did it at the expense of the Assay Office. We have certain surplus funds at the present which we apply in that way, and which are always ready to be applied in that way.

1533. The Committee of 1856 recommended the consolidation of those Acts of Parliament, a recommendation which I take leave to think you have very nearly carried out for them; do you think there would be any very great difficulty in passing a Consolidation Bill?—I have ventured to say what I think upon that subject in the concluding paragraph of my suggestions. I can only say that it would not be so easy a matter as people seem to suppose. Our main difficulty is in dealing with these discrepancies in the law between England, Ireland, and Scotland, and the country offices. I have said if it should be considered advisable to consolidate in one Act the law relating to the assaying and marking of plate in the United Kingdom, it would be expedient to make some other alterations; but the framing of such a Statute would not be so simple and easy a business as it seems to have been thought by the Committee which reported on the subject in 1856, and as it might appear to any one who has not maturely considered the subject in all its bearings, especially with reference to the corporations in Scotland and Ireland,  
and

*Chairman—continued.*

and the smaller Assay Offices in England. I cannot say any more; I know that I should have very great difficulty in doing it.

1534. But you know Parliament has, of course, unlimited power, and can alter the law whenever a change seems to be right?—No doubt. I do not say that it is not a thing which could be well done, but I simply say that it would not be an easy task.

1535. Would not it be desirable, in your judgment, that it should be done?—No doubt; I am bound to say so, although I have no doubt that a great portion of the labour would fall upon me.

1536. In the memorandum which you have handed in, you have been good enough to favour the Committee with a proposal for an alteration of the law?—Yes. If I were dealing with it at all, it appears to me that there are some things which ought at once to be dealt with.

1537. The principal one is with regard to foreign plate which was elaborated by Mr. Garrard in his evidence, and also confirmed by Mr. Thomas, with whose views I apprehend that you agree?—I have communicated with them upon the subject; I did not communicate with them until I had already considered the mode of dealing with it; but having done so, and having prepared the clauses, I communicated them to those gentlemen, and I found that all of those whom I have communicated with think that which I have proposed would remedy the evil.

1538. That of course is based on the hypothesis that the principle really remains the same as at present?—Exactly so, with which I have nothing to do; the policy of the law I have nothing to do with.

1539. But assuming that it is important to make it perfect, you propose to stop up what we may call a gap by the legislation you propose?—That is so.

1540. Which is, in effect, to require that the Customs should see when plate is introduced that proper steps are taken for having it assayed, because, if it is sold unassayed and unmarked, a statutory wrong is committed?—Exactly so; the trade is injured, and the public to some extent appears to be injured; and really and truly there is no question that the public have no protection. On the contrary, a man buys a piece of plate purporting to be a piece of foreign plate, and having got it in his possession, he does not trouble himself to come to the Goldsmiths' Company and give them information. The Goldsmiths' Company sent out the notice which I find the Committee had before them the other day to the English dealers, when I found that the trade in this foreign plate was assuming large dimensions. One honourable Member seemed to think that the Goldsmiths' Company had been somewhat neglecting their duty before, but that was not so. We always have said whenever anyone came to us, "If you will give us information of any one case, we shall at once put the law in force." But when we found that this trade was assuming largish dimensions we thought it necessary at once to issue a formal warning to the trade, and that notice was sent to everyone who had marks entered at Goldsmiths' Hall; but since that notice was published not one single individual has given information of the actual selling of any such plate.

1541. Do you think that there would be any practical difficulty in carrying such a clause as 0.117.

*Chairman—continued.*

you have drawn into effect?—I am quite satisfied that there would not be. I have communicated with the Customs upon the subject, and I apprehend that there would be no difficulty whatever. The Chairman of the Board of Inland Revenue, whom I saw upon the subject, was also quite in accord with me upon the matter.

1542. This difficulty occurs to me; will you tell me whether it is a chimerical one or not: the practice of the Assay Office is to break up plate which is under the standard, is it not?—Yes.

1543. Would not an importer complain very much if he pays the duty, and the Customs officer takes his plate to have it assayed, whereas all that he gets for his freight, and insurance, and risk, and payment of duty, is the pleasure of seeing his plate broken up before his face?—I think I can answer that in this way. When a man sends plate to the Goldsmiths' Hall to be assayed, if it turns out to be under the standard, under a clause in the Act of Parliament, the duty is returned to him; so much for the duty. Now, we come to the other matter, which is more important. A man must be a great fool, if he has any suspicion, if he does not get a private assay made beforehand of this plate, and he can always satisfy himself whether it is of the standard or not. There is nothing to prevent his doing so. If it is not of the standard, I think the Committee will agree with me that, if those laws are to last, the plate ought to be broken.

1544. It would come to this, that it would be practically a prohibition on the importation of under standard plate?—Yes, I think so; that is what I mean.

1545. And you think that that is the spirit of the present law?—No doubt it is; the fact is that these clauses are introduced into Acts of Parliament to which they do not relate. I may as well tell the Committee that I never saw that clause in the Customs Act before it was prepared; if I had seen the clause, I should at once have said there is nothing here to oblige a man to send to the Assaying Office. It is a great pity that those clauses are introduced in Acts of Parliament which do not relate to the subject. I may mention one thing more as a matter of interest than anything else, that the clause in the Act of Parliament obliging the letter F. to be put in addition to the other marks upon all foreign plate, was never brought to my notice until one year after it was passed, and if a man had brought plate of that kind to the Assay Office, and we had not stamped it at the time, you would see in what an awkward position we should have been placed.

1546. Are many foreign-made watch-cases brought to the Goldsmiths' Hall for assay?—I find from our assay officers that they know perfectly well which are foreign made and which are not; it puzzled me until the thing was somewhat explained to me, but they really do know, and ever since they were first introduced, they have kept an account, under my orders, of the number of foreign-made watch-cases that come to the Goldsmiths' Hall, in London, and I have the account here. When, at the instance of the watchmakers, I first communicated to the Board of Trade on the subject, the thing was of such trifling importance that it did not appear to be a sufficient subject for legislation, but at the present time I find that it has greatly increased.

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Mr.  
Prideaux.

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Mr.  
Prideaux.  
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*Chairman*—continued.

increased. In the year ending the 28th of May 1878, which is the end of the goldsmiths' year, I find that at Goldsmiths' Hall there were 101,017 silver watches marked, and 30,161 gold; of those there were of foreign make, silver 10,440, and gold 2,110, so that of silver there were actually 10 per cent. that were of foreign make.

1547 That return depends to a great extent upon the expertness of your experts?—Yes, but I believe there is no doubt about it; they have explained to me how they know.

1548. Have they told you from what country the larger proportion of them come, whether from America or Switzerland?—They come from Switzerland.

1549. And some from America, no doubt?—They chiefly come from Switzerland; very few come from America; the American cases may go to Chester for all I know.

*Sir Patrick O'Brien.*

1550. Are there any from Besançon?—I do not know.

*Chairman.*

1551. I suppose your assayers really would not know which came from Geneva and which from Besançon?—No.

*Mr. Onslow.*

1552. Have you many from Geneva?—They come chiefly from the Canton of Neuchâtel, where they commit all sorts of frauds.

*Chairman.*

1553. Is that a growing incident of the trade?—There is no question about it; it was complained of first about four years ago, and I must tell you that we feel ourselves in this position, that if any persons connected with the trade over which we have some sort of general control and authority, feel that they have a grievance and appeal to us, we think it is our duty to protect them if we think that the case is one for our interference. I communicated with the Board of Trade upon this matter first, I think, about four years ago, and at that time I told them, when I was consulted upon the subject, that I thought that the matter was of such trifling importance that it really was hardly a fit subject for legislation. At that time it amounted, I think, to 1,500 cases out of 150,000 in one year. It had only just begun, but it has grown up in the way I mention.

1554. You understand the law to be that if any dealer, who has a punch registered with you, presents those cases for punching, you must assay them?—There is no question about that; we have no power of inquiring into the origin of these things. If a registered dealer sends them there with his private registered mark upon them we are bound to assay them and mark them, without inquiring where they were made.

1555. You are aware that there is a Bill referred to this Committee which proposes to deal with the difficulty, if it is a difficulty, that the Bill proposes to make it law that the assay authority in England should not assay such watches at all; supposing the Committee to acquiesce in the policy of that proposition, which I do not ask you to give an opinion about now, would you have any practical difficulty in enforcing it by the machinery proposed by that Bill, namely, by

*Chairman*—continued.

requiring an affidavit or statutory declaration from the dealer who presents them for assay, that they were of British make?—I think not; we should have no difficulty in using the machinery, but I have my own opinion as regards the efficacy of the machinery; I am afraid that the declaration would be like many other things of the same sort, easy to evade.

1556. Could you favour us with any suggestion by which, assuming that principle to obtain favour with Parliament, this machinery could be improved?—No, I think your Bill is as good as anything could be; I think it would get rid of the difficulty to some extent by making the marking of watch cases voluntary, and I have given you my reasons for that in my memorandum.

1557. You think that in some way or another the proposal contained in the Bill which we have referred to us might be evaded?—Yes, I think so.

1558. But you also think that if there were no compulsory law, of course there would be nothing to evade, and probably that would be the best way of dealing with the matter?—I entirely agree with this, that your Bill carries out the sort of compulsion which you intend as well as any measure could do it.

1559. Another proposition has been made, which is this, that something similar to what the Customs Act contains should be made the law; that is to say, that the compulsory hall-marking should be kept up, that it should be obligatory upon the assay authority to hall-mark watches from wheresoever they may come, but that all foreign articles should be stamped with some distinctive mark which would show their foreign origin, and at the same time not denying to the foreign manufacturer the benefit of the British hall-mark if he chooses to pay for it?—I do not think that that would do any good at all. As long as you have the English mark upon the case somewhere or other, the stamping of any other letter or mark upon it would be of no avail. The other marks and letters would disappear somehow or other in a very short time.

1560. I have had a specimen watch shown to me, made by a well-known watch-making firm in the United States, called the Waltham Company, and it had the hall-mark and it also had the Waltham factory mark, that is the trade-mark, in a conspicuous position; does that occur to you that that would be possible that that private mark might be obliterated for competitive purposes, leaving the hall-mark?—I think so: so long as the English marks were on the case it would answer the purpose of a foreigner who desired to put a foreign movement into the case, and to pass a complete watch off as an English-made watch.

1561. Of course in Switzerland, I think you know they have an assay, and that there the quality may be guaranteed?—Yes, they have.

1562. But in the United States they have none?—None at all. I believe I may say that in every country in Europe now they have what they call a control, that is an assay, but in the United States they have not.

1563. Then the United States manufacturer at present is dependent upon your authority for a testimonial to the character of his goods?—He gets a testimonial upon the case, but unfortunately



*Chairman—continued.*

nately he may get a testimonial upon the movement also.

1564. I think you have been good enough to prepare for the Committee one or two returns of the business done at Goldsmiths' Hall?—Yes, I thought it desirable to look at the facts; I am desirous of not giving any opinion with reference to matters of policy, because you will get them very much better from the trade; but I heard the evidence of some of those gentlemen, and I thought that I might be able, by looking at our books, to ascertain how far their views were correct, according to our returns; and I find that their opinions, that the falling off in the trade has been very greatly attributable to the use of electro-plate, are borne out. I ordered a return to be made from our books of the duty received at our establishment at Goldsmiths' Hall for seven decennial periods from the year 1808 to the year 1878, which I think is a document which will be interesting to the Committee. I will state shortly what it shows me; I may say that electro-plating was introduced about 1843 or 1845; it did not get into full swing until 1848, and that is one of the reasons why I have taken that period. I find that the duty received from 1808 to 1818 on silver alone, was 656,259 *l.*; from 1818 to 1828 it was 721,949 *l.*; from 1828 to 1838 it was 673,380 *l.*; from 1838 to 1848 it was 674,673 *l.* Now we come to the critical period from 1848 to 1858. You must bear in mind that the duty was the same the whole of this time; from 1848 to 1858 it dropped to 487,633 *l.*; from 1858 to 1868 to 454,073 *l.*, and from 1868 to 1878 to 428,425 *l.* I hope I am not tiring the Committee with this detail, but I want to go rather fully into what occurs to my own mind. I find from the Report of the Committee presided over by the Right honourable gentleman the Member for the City of London on the Depreciation of Silver, a witness who appeared to be conversant with the subject, I think his name was Seyd, showed in his evidence that the amount of silver bullion used in electro-plating in one year was 1,000,000 ounces, which I believe to be only about 100,000 ounces less than the entire amount used in the manufacture of plate. If you put the million ounces that is used in electro-plate, and add that to the quantity that is used in the manufacture of plate, it will appear, at all events, that the quantity of silver used is very much in advance of what it was 30 years ago. Now we come to another very important thing, and that is, that gold which has not been in the least affected by electro-plating, because the duty which is derived may in point of fact be said to be entirely derived from wedding rings, has also been subject to fluctuation. There are no large works in gold made at the present time; even gold snuff-boxes within the last 30 years have gone out. I find by inquiries in our Assay Office that it is very rarely indeed that a gold snuff-box or anything of that size comes now to be assayed and marked, so that it may be taken that this duty which I am now going to speak of is almost entirely derived from wedding rings. The duty from 1838 to 1848 on gold, was 40,308 *l.*; from 1848 to 1858, it was 45,558 *l.*; from 1858 to 1868, it was 47,765 *l.*; and from 1868 to 1878, to the 28th of May last, it was 59,223 *l.*; so that you see the duty on gold has during those years been 0.117.

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regularly increasing with the growth of the population. I beg leave to hand in the following Table:—

AMOUNT of DUTY received at Goldsmiths' Hall, London, from 1st April 1808 to 31st March 1878.

—	1808 to 1818.	1818 to 1828.	1828 to 1838.	1838 to 1848.
	£.	£.	£.	£.
Gold - -	52,229	51,152	42,082	40,308
Silver - -	656,259	721,949	673,380	674,673
TOTAL - -	708,488	773,101	715,412	714,981

—	1848 to 1858.	1858 to 1868.	1868 to 1878.
	£.	£.	£.
Gold - -	45,558	47,765	59,223
Silver - -	487,633	454,073	428,425
TOTAL - -	533,191	501,838	487,648

1565. That seems to bear something like a relation to the increase of the population?—Yes, that is perfectly true; the argument, as I understand it, is, that the manufacture of plate has not increased with the growth of the population, and those gentlemen account for it entirely by the introduction of electro-plate, but with gold, that is a different thing, for the manufacture of wedding rings undoubtedly is a thing which ought to increase with the growth of the population, and I find that it does increase with the growth of the population in a very significant manner.

1566. Then I collect from you, that you rather agree with Mr. Garrard and Mr. Thomas, that the silversmith industry has not waned, but it is merely in some particular departments that it has fallen off?—It appeared to me, in looking into these facts, that there is great reason for their contention. Then there is another thing also, because the opinion that I form upon this matter is the result of inquiries made with respect to facts; I also find from my inquiries in the Assay Office, that it is perfectly true what they say, that the fashion for large and heavy masses of plate has entirely gone out, and that is the view of people who have been engaged in the trade for a great number of years; one man in particular said to me: "Why, sir, such a service of plate as was made for George IV., weighing upwards of a ton, would never be made now, it is never ordered for any individual." Then I asked our officers to get me out a list of the number of registered workers; I must explain that in the office they keep a list of registered senders of large plate as distinct from registered senders of small plate, and I find that in the year 1848 the number of large workers was 3,174 (that does not mean that there were 3,174 individuals, but that there were 3,174 deliveries of plate from large workers in that year 1848, to the Assay Office at Goldsmiths' Hall), and the number of small workers was 7,466. In the year 1878, the number of large workers had dropped

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dropped to 2,246, and the number of small workers had actually risen to 9,928, so that, in fact, there are actually as many people engaged in the trade now as there were 30 years ago.

1567. Does not that return include watch cases?—No, I have left that out. With regard to watch cases, there were 6,501 deliveries from case makers in 1848, and in 1878 there were 5,310, so that you will see that the separate deliveries of watch cases have diminished. A case maker will send 30 or 40 in a day, and they are all put down as one.

1568. Had you as many registered punches as now?—I endeavoured to explain to the Committee that the number does not mean the number of manufacturers, but the number of deliveries from people in the trade. The total number of men employed in the trade now is as near as possible the same as it was 30 years ago.

*Mr. Onslow.*

1569. Does that remark apply to the three counties, England, Scotland, and Ireland?—No, in all my evidence I want the Committee to understand that I am dealing entirely with the Goldsmiths' Company in London. You are aware, the duty received by them is considerably over one-half of the whole amount received in the United Kingdom.

*Chairman.*

1570. The other principal offices are Birmingham and Sheffield, are they not?—Yes.

1571. Those are large offices?—Yes, Birmingham has a very considerable office, and Sheffield also.

*Sir Joseph M'Kenna.*

1572. Could you mention the number of men whom they employ?—No, I cannot tell the number.

1573. Have you anything to say about the small offices?—They have not been brought to my notice at all of late years. I suppose that the Committee have seen the Report of the Committee in 1856. In former years they were brought under my notice, but of late years no person has brought anything connected with those offices to my notice, and I have not thought it any part of my business to inquire.

1574. You do not think yourself called upon to make any remark or any statement about them?—No, I am sure that Birmingham and Sheffield are going on exceedingly well. One of those offices has died out, that is York, and my impression is that the small offices will eventually die out.

1575. Inasmuch as those who use them could come to any other office they like, you think they had better be left free?—Yes. The reason why York ceased is that the assayer died, and it appears therefore to have been in the hands of one man, and no other man has been appointed.

1576. And you would let them take their chance?—Yes, I think they will die out. I think I ought to mention that there are some great inaccuracies in some of the evidence which has been given by Mr. Watherston.

1577. First of all, what have you to say with regard to the mode of assaying in France?—As to the mode of assaying in France Mr. Wather-

*Sir Joseph M'Kenna*—continued.

ston told you that it was done by the touchstone, but that is quite the reverse of the fact. The fact is, some years ago I sent one of the assay officers over to France to see their mode of treating the work and dealing with it, and assaying it in the establishments there, and he found that it was done in almost exactly the same way as it was done in England. He thought it would be interesting to me, and he bought a gold watch in the assay office, and he got the assay master to stop it, and to give the manufacturer the cost of it, in order that he might bring it over to show me exactly how it was done, and to show what reliance was to be placed in the opinion of certain persons who were in the habit of saying that the French assayed by touch instead of by the cupel; and therefore it happened that no injury to the work was done.

*Mr. Puleston.*

1578. To what time are you referring?—That was 12 or 15 years ago; but I am quite sure there has been no alteration since. He brought me the watch; it is very curious how entirely it is drawn or scraped, exactly in the same way as in this country; the scraping is for the purpose of getting a certain small quantity of metal which it is required to put into the cupel for treatment with nitric acid. Here it is, the watch with its separate parts, marked in exactly the same way as in England (*producing the same*).

*Chairman.*

1579. We may take it from that that the French system is substantially the same as ours?—Almost exactly the same as ours.

1580. I suppose they take care to use whatever is the best scientific method?—You have heard the evidence of some of the chief men in the trade, and they tell you that the thing is done as well as I believe it is possible for it to be done anywhere.

1581. The Goldsmiths' Company would spare neither expense nor anything else to make it perfect?—None whatever. With regard to these marks, in general there would be no difficulty in getting scorings for an assay from the inside; from some part that did not show.

1582. We are told that the charge for each individual marking is exceedingly small, but is the aggregate a substantial part of the Goldsmiths' Company's revenue?—It is no portion of the revenue at all; we are prohibited from making any profit from the Assay Office. The Assay Office only just pays its way; we have got in fact a certain sum which is the savings of balance of receipts over expenditure, which is put aside for the purpose of paying annuities to retired officers, or the widows of deceased officers, and for prosecutions.

1583. Is there any other remark in the evidence to which you wish to refer?—Another extraordinary statement was this: I mention it, for although it is unimportant it ought not to be upon your notes without correction. Mr. Watherston mentioned a case in which he stated that a man got drawback upon wedding rings, went abroad and brought them back again in his pocket, and sold them in England as hall-marked rings. I think you will find that at the end of the evidence. There is no doubt about it that he said so. Now you will find that in the year 1820, which

*Chairman—continued.*

which was long before this gentleman was born, an Act of Parliament was passed which enacted that there should be no drawback allowed on the exportation of wedding rings or of any rings or any ware of gold under two ounces in weight, and therefore it is utterly impossible that this should have occurred.

1584. So that the illustration which Mr. Watherston gave of the operation of the law, seems to have been unfortunate, because he got hold of an exceptional case, but it would still remain as to large articles, no doubt?—Perhaps so.

*Sir Joseph M<sup>c</sup>Kenna.*

1585. With respect to articles over two ounces in weight, it could be possible for that operation to be executed, could it not?—I should think it could, but I think you heard from him that there are few such articles in gold. In the same way as between Switzerland and France, there was a heavy protective duty in France against Swiss watches. Every courier and every valet who travelled with you always managed to bring over from Switzerland a certain number of watches in his pocket.

*Sir Charles Russell.*

1586. You have told us that there have been very few prosecutions because you only selected such prosecutions as you thought would be likely to be successful?—I do not think I said that there were few.

1587. I think you said that they only came to about 1½ per year?—Something like that. We find practically that the effect of a prosecution is that, whatever the fraud is, it is stopped for a very considerable time.

1588. Are many informations laid?—No, I think not. I should say that there are not certainly more than one-fifth of the cases in which I find that it would be unsafe to proceed.

1589. Is there any reward to the informer?—We never offer a reward in the first instance, but we always reward them very handsomely afterwards on conviction.

1590. Speaking of the Bill which is before the Committee, you said, did you not, that if a statutory declaration is to be accepted, your assay officers would have great difficulty in detecting fraud?—No, I think I hardly said that. What I said was this, that I thought that the provisions of any Act of Parliament, such as is proposed, would in some way be evaded. I think that our assay officers would know pretty clearly with regard to a thing being of foreign make, and then they would require a statutory declaration according to this Bill; but the difficulty would be this, that if a man made a false declaration it would be exceedingly difficult to prove it, excepting by the information of an informer.

1591. You also mentioned that if some specific mark were added to the hall-mark, it would be easily got rid of; would not that apply equally to marking "F." on foreign plate, which I think you suggested should be done?—No; I think that marking "F." is perfectly useless. I believe that the "F." would be obliterated as easily as possible. I can only repeat what I said, that I think, so long as the English hall-mark is of value, the object of the person who sends a thing for the English hall-mark is attained.

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*Sir Charles Russell—continued.*

1592. Can you explain why the silver used in electro-plating should be exempted from duty, when the silver used for any article of the same description as the electro-plated article pays duty?—That is a matter of policy. I have no opinion to offer with regard to that.

1593. With regard to the difficulties which you point out would arise in consolidating the Acts, you allude to those affecting the offices of Edinburgh and Ireland, and also other small offices; do you think that the business done in those other small offices is of sufficient importance to allow their existence to stand in the way of consolidating the Acts?—I think you would be obliged to have offices in Ireland and in Scotland so long as there were any plate-workers in those countries; but my own opinion is, that in England there is no necessity for any assay offices, excepting those in Birmingham and Sheffield, and one in London. I should not have volunteered that opinion, but you have pressed me for my opinion, and that is my private opinion. At the present day, with the facilities of transport by railways, there really would be no difficulty in the matter; we do, in fact, find people sending to the Goldsmiths' Hall in London from Chester and from Sheffield.

*Mr. Puleston.*

1594. You state that whenever information is sent you, you prosecute, or make such an investigation as to lead you to prosecute; do you take any steps, and if so what, to get information, so that offenders may be indicted and punished?—We wait until it is brought to us. We think that the trade ought to be as much interested in their own affairs as the Goldsmiths' Company, and that it is their duty and interest to bring us information of cases of malversation in which they require us to act; it would be a very invidious thing for us to employ detectives to be going over the town to detect evasions of the Act.

1595. For instance, I am informed (whether the information is reliable or not I cannot say) that there are, to use the expression made use of to me, 10 tons of spurious plate exhibited in the streets of London to-day, for instance; that is a very grave assertion, at all events; are you at all able to say whether it is correct or not?—I had information given me by letter of certain shops in London about three weeks ago, in which it was stated that there was plate of that description; I think, perhaps, the Committee had better not press me to go very far into this, because at the present time I have four cases under consideration, one of decidedly forged marks, and of other plate that has been manufactured in imitation that is not marked at all; immediately I got that information I sent an officer to those shops with instructions to buy whatever he thought right.

1596. Then you think that the statement which I quote to you may not be very far wrong?—I think the probabilities are that the statement made to you was decidedly exaggerated, for in this shop to which I allude, the man I sent did not find any very large number of things, but he was able to select from one or two of them.

1597. What occurred to me was, that the number of prosecutions, which, I understand you to say, were six in 10 years, seemed to be very small in comparison with one's general acceptance of the number of forgeries which exists?—

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But you will remember that in every one of those six prosecutions, I proved a guilty knowledge, and that is a very difficult thing to do. There have been 13 actions for penalties in addition to those in the 10 years, and I have four cases now under consideration.

1598. But you have never really taken any steps; you have no agency at work in the shape of detectives; all your information has been brought to you?—Precisely so; I do not think that the system of detectives would work at all.

1599. You seem to get it rather accidentally than otherwise?—There is the trade, and here we are existing for the protection of the trade, and if the trade do not choose to come and give us information of these cases, it is they who are to blame; we certainly have done all we can do.

1600. May not a large dealer in plate or silver ware, and so on, have a considerable quantity on hand which may be spurious without his knowing it, and therefore he could not ask your protection?—I cannot agree to that at all; I think a dealer would know it, but I think I may as well mention the effect of one prosecution. There was a man of the name of Gooch (I mention his name, because he was convicted of the felony) in Holborn. We had information that this man was engaged in the manufacture of spurious old plate, that is old plate to satisfy the inquiries of antiquaries, but which in fact was not old plate at all; sometimes he got the hall-mark out of a small article and inserted it into a larger one; at other times he got electro-typed impression of a genuine old mark, and put it into something made up after the fashion of plate of the reign, we will say, of Elizabeth, or Queen Anne, or George the First; so insane was this fancy for purchasing old plate, that I am informed that at that time a man would give for an article with no beauty in it at all, an article of the ugliest description, as much as 4 l. or 5 l. an ounce, if the mark denoted a remote period, a period, we will say, of even Queen Anne; the temptation was so great, that it is not to be wondered at that certain people took up this fraudulent branch of trade. At last, a man of the name of Gooch, in Holborn, was brought to our notice; that man was prosecuted at the Central Criminal Court, and he was convicted, and we received information afterwards that (I was going to say) tons of this plate were taken away and melted down, and that prosecution put a stop to this making up of Elizabeth, Queen Anne, and George the First plate for the purpose of satisfying the fancy of antiquaries.

Mr. *Thomson Hankey.*

1601. Do you think that it has been melted up?—My information was that it was taken down to a place not far from London, and melted up.

Mr. *Freshfield.*

1602. Could not they melt it and work it up again?—But the article would be of no value whatever. I think that the melting down was the best policy for such people to pursue, because they knew perfectly well that we had the informers at work at the time.

Mr. *Puleston.*

1603. Can you tell me the difference between the intrinsic value of Queen Anne's silver and that of the present day?—The plate would not

Mr. *Puleston*—continued.

be worth more than 5 s. 6 d. an ounce, minus the duty; say 7 s. an ounce intrinsic value.

1604. When people pay 50 s. instead of 7 s. or 8 s. an ounce, is not that the amount that they pay for fancy, on account of its being ancient?—Yes.

1605. The metal itself is no better?—No, it is no better at all; sometimes it is very much worse.

1606. Do you happen to know that in some parts abroad, on the Continent, old silver, on the other hand, is much cheaper than new; for instance, in Belgium silver 200 years old?—I did not know that, but it is quite possible. This collecting of old plate is a thing of comparatively modern date.

Sir *Joseph M'Kenna.*

1607. Since the 7 & 8 Vict. c. 72, was passed, your chief remedy has been a civil one?—Yes, no doubt about it.

1608. Are you entitled by that Act to have recourse both to the civil and the criminal remedy in the same case?—Yes, you may proceed for a penalty, and if subsequently to proceeding for a penalty, you find that you have got proof of guilty knowledge, you may proceed for felony.

1609. The effect of the whole of the duty on hall-marking, which is practically 1 s. 3 d. an ounce, is equivalent, is it not, to about a 30 per cent. duty on the intrinsic value of the article which is to be valued and hall-marked?—Yes.

1610. Does not that, according to your knowledge of such matters, interpose a veto practically on the manufacture of plain articles of plate, to which there is no great accession of value for workmanship?—I think I am quite unable to answer those questions.

Sir *Patrick O'Brien.*

1611. In the case of Gooch's prosecution, was that prosecution for the plate being under the standard of proper silver?—No, it was for the forgery of the marks.

1612. In short, it had more reference to a fraud committed with regard to the fashion of the plate, than to any fraud committed with regard to its standard value?—Yes, it was a forgery of the marks.

1613. Merely having regard to other kinds of articles, take a painting, for instance, it is not infrequent, I believe, that paintings are sold as being the work of some particular artist, and yet there is nobody in England to recognise such a forgery as that; do you consider it necessary for the public interest that a great establishment should be kept up for the purpose of detecting forgeries such as you allude to in Gooch's case, as distinct from detecting an improper standard being carried out in the manufacture of plate?—You ask me what I think upon that subject; that is a question of policy, and upon that matter I say, as I have said before, that I think it would be better that you should obtain the evidence of persons engaged in the trade. The only thing that I can see is this, that upon the matter of those forgeries, it is impossible to know if the mark is forged, whether the ware is of the standard which it represents itself to be.

1614. It occurs to me, as a Member of this Committee, that the trade are not the sole persons to be regarded in this inquiry; that there are people called the public; a few moments ago, when an honourable Member was examining you,

Sir Patrick O'Brien—continued.

you, he asked you whether you employed detectives or other persons to discover malpractices in the trade, and your reply was that you did not, that you relied upon the trade to give you any information of that character. May I, proceeding in the same direction, ask you, is it not your duty to regard the public as distinct from the trade?—Yes, but I think we do regard the public as distinct from the trade in prosecuting in any case of malversation which is brought to our notice. I mentioned the trade as being the persons who are interested in bringing us information, and therefore the persons who would be most likely to bring us information, and it appears to me that a public body like the Goldsmiths' Company employing detectives would not be approved of by the public at large.

1615. I merely ask you this, is it not the fact that you rely solely upon the trade for any information that you get which is necessary to found a prosecution?—I do not say solely on the trade, because in a great number of cases the information comes to us from discharged workmen. A man employed at an establishment where such a thing is practised comes and says, "I know a certain place where the marks of the Goldsmiths' Company are forged;" very well, if such a man comes to the Goldsmiths' Hall, I apprehend it is our plain duty to investigate the case, and see how far his information is correct.

1616. In the examination of Mr. Thomas upon last Monday, I asked him Question 1514, which was to the following effect: "Before that rubbish commenced to be made in Holland, there was really old artistic Dutch plate imported," and his reply was "Yes." "And that plate was sold by respectable houses?"—A. Yes. Q. Had it the British hall-mark before it was sold?—A. No. Q. Then the respectable houses had not complied with the law?—A. Certainly not." In that case, may I ask you, if you were to rely upon the trade for your information, would you not have the law evaded upon every opportunity, and the Goldsmiths' Company acting at once in prosecuting for a breach of the law?—Those cases are quite distinct from cases of forgery. Those are cases in which we are empowered to sue for a penalty, and in almost all the cases in which we sue for a penalty our information has come from the public.

1617. You mentioned, I think, in your examination, that the foreign trade in plate has now assumed large dimensions?—So we have heard; I only derive this information from general statements made to me about the plate when that notice which has been referred to was issued.

1618. Assuming that to be so, does it arise from anxiety on the part of the general public to purchase for their own use, or does it arise from an importation for the purposes of trade; are you able to say which it is?—I believe that it arises from the public having got into the habit of inquiring for what they believe to be an old thing. I am told that in former days a great deal of really curious old plate was exported from Holland. That created a taste for those articles, and when the Holland people had sent to England all the plate which they had got of that description, they adopted the manufacture of these articles over there, and sent them over for the purpose of satisfying the demand. That is what I am informed.

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Sir Patrick O'Brien—continued.

1619. But as regards the duties of the Goldsmiths' Hall, am I right in imagining that its duty is to see that no fraud is committed with reference to the standard of gold and silver, and not that it is its duty to detect forgeries as to the antiquity or as to the character of a design?—No. The question of antiquity has nothing whatever to do with it. We should have prosecuted Gooch exactly the same if he had forged the marks and transferred it to a modern jug, or any other article. I mention the subject of the taste for antiquity to show how great the temptation was at that time for a fraudulent man to enter into the fraud.

1620. You said, I think, that there was no grievance in having plate broken up if it were below the standard, as any one could, with very little difficulty, ascertain its value by a private assay?—He can get a private assay made, for there are professional assayers in London who have all the apparatus, and would make a private assay for a man at any time.

1621. I asked you that question in order to ask you the following one: Assuming that to be so, cannot the public at present, assuming that the hall-mark was no longer compulsory, have all that protection of a private assay with the same facilities which are so important?—The public could get a private assay after they had bought the article, but I apprehend it would be excessively difficult to induce a tradesman who has got an article to sell to lend it to a proposed purchaser to have a private assay of it in order that he might form an opinion as to whether he would buy it or not.

1622. Do you think that he would refuse if the man purchased it; subject to the condition of its passing the assay, would he lose the sale of a valuable article rather than permit its being arranged?—I think he would, for this reason, that in order to make a private assay, it would be requisite to scrape it to test the article. As you are aware, all those articles which are sent to Goldsmiths' Hall are obliged to be sent in an unfinished state; therefore the scraping does not injure the article at all; but if a man were to buy a dozen of spoons of Mr. Thomas, or Mr. Garrard, beautifully polished up, in order to make an assay of them, he would be obliged to take them and have a certain quantity of silver scraped off from different parts of them, which would be, to a great extent, disfiguring the article.

1623. I think you mentioned that the Goldsmiths' Company at present are bound to assay every watch-case presented to them?—There is no doubt about that.

1624. As a question of policy, would you recommend to this Committee that that system should be changed?—I have considered that subject, and I have stated in this paper which I have prepared what is the inclination of my opinion; I do not mean to say that I am very strong about it, and I have said it without much communication with the trade; I have said that I am inclined to think that the marking of watch-cases should not be compulsory; I have stated my reason for it, which is, that I think that the trade generally are not aware of what I have mentioned, that foreign watches in unmarked cases have been always, I am informed, sold in England without challenge, but that the selling of them renders the seller of them liable to a penalty

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Sir Patrick O'Brien—continued.

penalty (in fact, you have heard from every tradesman who has given his evidence here, I believe, that foreign watch-cases are not required to be marked); but I go on to say, and yet I am of opinion, that such cases are strictly within the view of the 12th Geo. 2, c. 26, s. 5, and that the selling of them renders the seller liable to a penalty. I may mention that Mr. Martineau, the solicitor to the Birmingham Hall, to whom I mentioned the point the other day, told me that he had considered it, and that he was quite of the same opinion. I then go on to say: "We have never been asked to sue for a penalty so incurred, but if required to do so, I should feel it

Sir Patrick O'Brien—continued.

difficult to give a reason for objecting, except that the practice has not hitherto been questioned." Therefore there is a strong reason for it; it would remove this divergence between the law and the practice.

1625. There are certain licenses with regard to the sale of gold, are there not?—I know nothing of the licenses.

Mr. Freshfield.

1626. I understand that foreign plate introduced into this country must pay duty through the Customs?—Yes, it must pay duty.

Mr. ALFRED BEDFORD, called in; and Examined.

Mr.  
Bedford.

Chairman.

1627. You are the English Representative of a wholesale Watch Making Company in the United States of America?—Yes.

1628. That is a joint-stock company carrying on business in the State of Massachusetts in the manufacture of watches?—Yes.

1629. Your company has presented a petition to the House of Parliament against the Bill now referred to this Committee?—Yes.

1630. Have you got a copy of that petition with you?—I have.

1631. Will you hand it in?—Yes (*delivering in the same*).

1632. You ask in this petition that the proposed Bill may not pass into law as it now stands. Assuming that an American subject has a right to be heard, what is your objection to the Bill?—Our objection is that we should not have facilities for obtaining our watch-cases, which we desire to have, hall-marked.

1633. Why do you desire to have your watch-cases hall-marked in this country?—As a guarantee of the quality of the metal.

1634. Cannot you have them marked at home?—No; we have no hall-mark there; I wish we had.

1635. And so you send them over here?—Yes.

1636. Does it pay you to send them over here to get them marked and send them back again?—It does not; the trouble is that we cannot get them made here in sufficient quantities.

1637. But you have to make them in the States, and send them over here?—Yes; we have to make them in the States, and also in Switzerland.

1638. Do you pay a duty upon those which have been hall-marked, on the second importation?—No.

1639. Is your fiscal law in that respect a freedom from duty?—Yes, in sending them back. We make an entry declaring them to be of United States manufacture; that admits them free of duty. They are sent back unfinished, and finished there.

1640. Do you distinguish between your watches and English-made watches in the cases?—Yes, we do.

1641. How?—We put a stamp on of our own (*producing a watch and exhibiting the same*).

1642. Is that an American watch?—Yes, this is an American watch in an American watch-case, and hall-marked here.

Chairman—continued.

1643. Which has a distinctive mark, which is your trade mark?—Yes, that we put on all our cases made in our own country at our own factory.

1644. You say that you object to being prevented from marking here at all?—Yes.

1645. Would you object to a law which compelled you to put some still more distinct mark on an American watch-case?—We should favour that, decidedly.

1646. On what ground?—It would prevent fraud in this way, that cases now hall-marked are used for any movement; the English hall-mark is put on a case, and a great many makers say that they get with it a guarantee that the movement also is genuine, as an English movement; it conveys that idea. I believe that it is so; it does convey the idea. There are hundreds of watches made in Switzerland that are brought into this country, and palmed off as English-made watches.

1647. That occurs to our English minds as something very like a fraud; what do you say as to that?—I think it is a fraud, decidedly.

Mr. Talbot.

1648. That is because they have the English hall-mark upon them?—They have the English hall-mark on the case; the movement is made in Switzerland, and put together here, and engraved with some English maker's name. There are thousands of them in the country.

Chairman.

1649. You, as representing an American firm, would not object to have that preventative law which you mention?—No, we should like it very much, because they imitate our own watches in that way, and we think that stamping on the sides the name of the maker of the watch would prevent that fraud.

Sir Patrick O'Brien.

1650-4. Or on the dial?—The dial can be easily removed.

Chairman.

1655. I suppose the Swiss can make a watch like this cheaper than you can make it, or than it can be made in England?—They could not make a watch like this cheaper; they could make an imitation of it, a watch to look like it.

1656. Do you do a large business in those watches?—Yes.

1657. Have

*Chairman*—continued.

1657. Have you imported many watches from the United States to this country to have them hall-marked here?—Last year we imported about 5,000 cases.

1658. Where were they hall-marked mostly?—At Chester, and we had about 18,000 cases made in Switzerland.

*Mr. Talbot.*

1659. Should you object to the Assay Office at Chester being abolished, and to be obliged to send watch cases to London?—I do not know that I would particularly. With regard to that, I may say that there is one reason in favour of Chester, and that is, that there is some idea of the company establishing a manufactory here in England, and there is a chance of our getting a site in that vicinity, which would be near the Hall; it would be very desirable for us.

*Chairman.*

1660. Does your firm import a large number of Swiss watch cases?—We had about 18,000 last year made in Switzerland, hall-marked here and sent back to Switzerland to be finished.

1661. And from thence exported to the United States?—No, sent here for this market.

*Mr. Bates.*

1662. Do you put your mark upon those Swiss watches?—No, I have no mark on that watch; the works were all made in America.

1663. Do you bring those watches back to London?—I am speaking only of the cases.

1664. Where do you import them when they are finished?—Here in London.

1665. Why do you send them to Chester to be marked?—We were in the habit of sending them at the beginning and we have always continued it; there is no special reason. We have had cases marked in London.

*Chairman.*

1666. I suppose with regard to those 5,000 American cases you put your own name on them?—Yes.

1667. And as to the 18,000 Swiss cases you did not put your own name on them?—Nothing but the distinguishing mark necessary for the Hall, A. B.

1668-9. Mr. Prideaux just now stated that a distinctive mark in addition to the hall-mark would not be a sufficient protection, and would not sufficiently secure the British manufacturer against this practice, because the distinctive mark might easily be obliterated?—I disagree with him entirely. The mark on this watch could not be obliterated; it is impossible, you could no more obliterate that than you could obliterate the hall-mark.

1670. But you see the theory is that you would not want to obliterate the hall-mark, but you would want to obliterate the other mark; would not that be physically possible?—No, not without spoiling the cases. It is very deeply stamped in.

*Mr. Talbot.*

1671. Are those sold in London only, or in the provinces in England?—They are sold in London and all over England, all over Great Britain.

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*Chairman.*

1672. Of course from your point of view, there is no theoretical objection to that watch, but your business in Swiss watches would be liable to that objection?—No, we do not do anything in Swiss watches, but in Swiss watch-cases; we only case our own movements.

*Mr. Talbot.*

1673. Are all your works made in America?—Yes, they are all made there.

*Mr. Thomson Hankey.*

1674. Where are they put into the cases?—Here. We import the movements and put them into the cases here.

1675. Have you an establishment here?—Yes.

*Chairman.*

1676. We quite understand this, that you would not object, so far as you have a right to be heard, to the law requiring some mark as distinct as that trade-mark on all foreign-made watch cases?—On all foreign watch cases and on all cases made for foreign movements. My idea is this, that a large number of movements are imported from Switzerland into this country and called English movements. They are imported in blank, and the plates are engraved with English names. They are put into those hall-marked cases, and are then palmed off as English watches. I should not be at all surprised if, perhaps, some gentlemen here are carrying watches in their pockets, which they suppose are English watches, which were made in Switzerland and have got English names on them.

1677. And you do not think that right?—I do not. We put our name on the movement, and you can see it stamped plainly "American Watch Company." We are not ashamed to put our name on the movements. We think the other procedure is a fraud on the English watchmaker and we go hand in hand with him. We are not opponents of the English watchmaker, but we are opponents of the Swiss.

*Mr. Bates.*

1678. What is the value of this watch?—That watch would sell for 4 l. retail.

1679. Would you have any objection to let me have this watch?—Not at all.

1680-1. I think I could take that name out without its being disfigured?—I do not think so.

*Mr. Whitwell.*

1682. May I ask whether this rim is hall-marked?—The whole case is assayed; you will find the mark all over; in the dome and in the inside.

1683. I find three marks, but I do not find the solid rim?—That I cannot tell about; I never did look into that decidedly; I think it has got the hall-mark upon the whole thing.

1684. Can you tell me the weight of the silver that is in this watch?—I should think either 2 oz. or 2½ oz.

1685. And the trade is likely to be carried on under all the difficulties of transshipment and so on, under which it at present labours?—No, I think not; I think we shall finally succeed in having all our watch cases made here in England.

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1686. Is

*Mr. Bedford.*  
8 July 1878.



Mr.  
*Bedford.*  
8 July 1873.

Mr. *Whitwell*—continued.

1686. Is silver any cheaper in America than here?—No; it is the same price all the world over.

1687. There must be a greater charge for coinage, for instance, silver raised in Nevada must be cheaper in Massachusetts than in England?—No; I think they would have to pay the same for it.

1688. In fact, what you propose to do is to make this cheating a fraud, and simply to have the hall-mark to show the quality of the silver?—The hall-mark to show the quality of the silver and the maker of the movements name, stamped on the sides, to show at a glance the manufacture of the movement.

1689. And on the works too?—Yes.

Mr. *Ouslow.*

1690. If there were no hall-mark, but merely your name on it, you do not think that that would be a sufficient guarantee to the public that the thing was a genuine article?—If the hall-mark was abolished we are perfectly satisfied to go before the public with our name as a guarantee.

1691. But do you think that you would have such a large sale for your watches if the hall-mark was abolished, and if they had merely your name upon them as a guarantee to the public?—I think it would affect the sale of them. Where the buyer of a watch might be perfectly satisfied with the movements of it he would be doubtful about the case, not finding the hall-mark upon it. That is a guarantee to him of the genuineness of the metal used.

1692. So far as your company are concerned, you have no desire to see the hall-marking abolished?—No.

Mr. *Talbot.*

1693. Are watches sold by your company in Swiss hall-marked cases, marked so as to be known by the public as Waltham watches?—Yes, always.

Chairman.

1694. The question is this, have the public any means of perceiving that those Swiss made watch cases, to which you have referred, are Waltham watches and are not English made cases?—No, they have not.

1695. Or that they are English made watches?—The movements bear our stamp.

Sir *Joseph M<sup>c</sup> Kenna.*

1696. Do they bear your stamp in any cypher that is known to the trade?—Yes; you can see "American Watch Company" on the plate.

1697. Then a watch sold by your company, whether in a Swiss hall-marked watch-case or not, is sold that the public buyer might be deceived by his immediate vendor, a dealer?—He could not be, because we have given a guarantee on all our cases. We have sold some movements without our name on, because some traders have desired to put their own name on as a guarantee.

1698. Then what my question simply tends to is this, do your company sell to dealers watches in such a condition that they might be sold by them without their appearing to be your watches?—I think not.

1699. In no case?—No.

Mr. *Puleston.*

1700. As a fact, have you now a business here?—Yes.

1701. Every watch which you sell, you sell ostensibly as the manufacture of the American Waltham Watch Company?—We do.

1702. Really that is part of your stock in trade?—Yes; our name is our guarantee.

1703. Therefore you prefer as dealers to trade upon that name than to pass it off for that of any other maker?—Decidedly.

1704. And no watch is ever sold here by your company, or in any way passes through your hands as yours, that is not manufactured, as a fact, in Waltham?—None whatever, except so far as the case is concerned.

1705. Then I further understood you to say that you get the cases made in Switzerland and here for convenience and cheapness?—Yes.

1706. And that while you put the hall-mark on them and so on, you do not do that with the intention of conveying the idea that what you have enclosed in them is an English made watch?—Not at all.

1707. You simply do that by putting in proper characters the fact that it is an American movement?—Yes.

1708. And that is pretty generally understood, I suppose?—Yes, it is.

1709. Your idea is that the distinction of having the hall-mark is so advantageous that you wish it established in your own country?—We would like to have an American hall-mark for the protection of the maker.

Mr. *Campbell-Bannerman.*

1710. You alluded to the practice which prevails of English dealers putting their names to Swiss works; do you consider that to be fraudulent?—I do.

1711. It is very commonly practised, is it not?—I think it is.

1712. By perfectly respectable houses in the trade?—That I cannot say. I do not know that; I should not like to say.

1713. Supposing you went to any shop in one of the principal streets of the west end of London, and looked at the gold watches, and there were some of them Swiss and some of them English, the Swiss and the English would all be marked alike, would they not, with the seller's name?—That might be so, but I cannot say.

1714. There is no concealment about it, at all events?—There is; I could not tell you whether they were Swiss or English. I can suppose that you would go in to see Swiss, but you might not see any Swiss.

1715. I might not know myself that they are Swiss?—I think it is very likely that you would go into a respectable shop and see a watch marked with the watchmaker's name, and you would buy it, supposing that it was an English watch, and yet it was a Swiss one, and he would not tell you that it was a Swiss watch.

1716. Do you think that that would be done by people in good position?—Yes, I think so.

1717. But, on the other hand, are there not people in an equally good position who would take care to tell you that it was a Swiss watch, but still have their name upon it?—Yes, that is so. They would tell you if you asked them, but if you did not ask them they would not tell you.

1718. And



Mr. Campbell-Bannerman—continued.

1718. And you think that in no case should that be allowed?—I do not think it should be.

1719. There is a very large proportion of watches, is there not, sold in England which have Swiss works?—Yes, a large number; a great many watches are made in Switzerland too that bear the Swiss mark.

1720. But I am alluding to the practice, instead of putting "Examined by" or "Approved by"?—We do not put that, we put our own name.

Sir Patrick O'Brien.

1721. You are anxious to have the hall-mark to show that it is real silver?—That is our object.

1722. Your name being on it is to show that the works are the works of the Waltham Company?—Yes; and also that the case shall not be used for any other movements but our own.

1723. But it is usual in Switzerland, in France, in England, and wherever watches are made, to put the name of the maker on the dial, is it not?—Not altogether.

1724. Is it not the custom?—It is the custom to an extent, but not altogether.

1725. Are you aware that there are English watches made abroad with the consent of the sellers in London, marked with their name, made in Besançon, made in Neuchâtel, or made in Geneva?—Yes.

1726. And in America?—I do not know about America; I think very likely they are.

1727. So far as protection to the public is concerned, they are liable to fraud in that as they would be in anything else?—Yes, they are.

1728. We have heard a great deal here of the injury it is to the English trade that our watches, being so far superior to the watches of any other country, to have foreign watches sold as English; are you inclined to say here that there are not as good watchmakers in Geneva, or Besançon, as in London?—I think there are.

1729. But as a matter of continental opinion, are there not watchmakers in Besançon and Geneva possessing as high a name as that of any English watchmaker?—Yes, there are.

1730. Then you would be obliged, I daresay, to suppose that there is a special reason for committing a fraud upon English watches from their super-excellence?—But the watches that are made by those good makers are not put upon the market here in imitation of English makers, because they are too expensive.

1731. Do you not know that some of those makers in Besançon make watches with the names of Parisian makers on the watch?—Yes.

1732. From your knowledge of having free trade in America in watches at present, and knowing the way in which your company has succeeded, do you see any objection, as regards the public, against having free trade in watches in England as on the Continent, or as in America?—I do not quite understand your question.

1733. There is free trade on the Continent, in Switzerland, is there not?—I am not aware that there is not free trade here.

1734. They are obliged to have them hall-marked, and so far it is not free trade; it is in that regard that I ask you the question; do you see any disadvantage in the absence of the hall-mark in allowing each person to exercise his own judgment in the purchase of an article?—Not at all.

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Sir Patrick O'Brien—continued.

1735. You find no inconvenience from the law at present existing in America operating against you as traders in America?—We do to some extent. We find it in this way: there are a great many watch cases made that are very much below the standard.

1736. They bring a less price, do they not?—It brings down the goods. No man can tell what the standard of any silver is by looking at it. You could not tell whether it was 800ths fine or 900ths fine, or 925ths or 950ths.

Sir Joseph M'Kenna.

1737. Do I rightly understand you, then, that your firm never sells to the trade watches, or the works of watches, which can be subsequently sold by the trade to the public as of English make?—We sell to the trade, and we have sold to the trade in a limited quantity, movements without our name on, but there are marks on the watch which show that it is an American watch.

1738. But those are private marks?—No, there are distinctive marks on those watches that they are the American patent.

1739. Would they be discernible by any one but a person in the trade?—That I cannot say.

Mr. Puleston.

1740. Look at this watch (*handing a watch to the Witness*); there was another American Watch Company at one time, and you will recognise the name on it; I think that some of those works, as well as the case, the case certainly was hall-marked here, and some of the works also are made here; is it the case that you manufacture and then import some portion of the machinery?—No, we do not import anything.

1741. As I understand you, some of that watch was made here in England, and marked just as the case was, and then put together by that Watch Company; I do not know whether you remember the company; is it in existence?—It is in existence now.

1742. So that it should by no means be considered to be one manufactured wholly upon their premises?—No; but we make the entire watch on our premises.

Mr. Thomson Hankey.

1743. How long has the watch trade been an important one in America?—We have been established for about 30 years.

1744. During that time, has the watch trade generally become an extensive one?—Yes, very large.

1745. Did it largely exist 20 years ago?—Yes.

1746. It was a very small concern, I believe?—Thirty years ago it was small, and in its infancy; it is now a large concern.

1747. Up to within the last 10 or 12 years, the American Companies imported largely Swiss watches?—Yes.

1748. Do they continue to do so?—They have fallen off very largely, but they do continue to import Swiss watches, and also English watches.

1749. You attribute the falling off to the superiority of, or to the preference given to American watches?—Yes.

1750. And are you able to compete in neutral markets with American-made watches against Swiss watches?—Yes, we do here.

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1751. Do

Mr.  
Bedford.

8 July 1878.

Mr.  
*Bedford.*

8 July 1878.

Mr. *Thomson Hankey*—continued.

1751. Do you think that the work of American makers generally is equal to that of a maker in Switzerland?—We think it better.

1752. And there you have no hall-mark?—None.

1753. You have no restrictions of any sort or kind?—None.

1754. And do you desire to have any restrictions?—We should like to have the hall-mark there, simply to guarantee the quality of the silver; that is all that the hall-mark is for.

1755. Do you believe that fraud is committed to any great extent in America by the imitation of the English hall-mark?—No, not there; there is no hall-mark known.

1756. Have you not heard that during the last 20 years it was not a difficult matter to get watch cases or other jewellery marked in America with the English hall-mark?—I never heard of it.

Mr. *Puleston*.

1757. Great impetus was given to the watch trade during the American war?—Yes, very large.

1758. That was the time that the large jump was made in the trade?—Yes, every soldier wanted a watch.

1759. It gave an impetus, and brought into

Mr. *Puleston*—continued.

being such companies as your own, which has now become so large and important?—Yes.

Mr. *Thomson Hankey*.

1760. Do you employ a large number of Swiss workmen?—We have all nationalities.

Mr. *Puleston*.

1761. Could you say how much American plate is imported here?—I do not think very much, but I have no figures to go by.

Mr. *Talbot*.

1762. Should you say that there is a large export from America to the British colonies?—I should think it is considerable; from my knowledge of the companies there, and also of their dealing, I should say that they are doing a very large business with the British colonies, Australia, New Zealand, and India.

Mr. *Thomson Hankey*.

1763. In what part of the United States are your works?—Our factories are in Massachusetts; there are some in other parts; there is one in New Jersey, and one in Illinois.

1764. But the larger part is in the New England States?—Yes; in our factory in Massachusetts.

*Monday, 15th July 1878.*

## MEMBERS PRESENT:

Mr. Bates.  
Colonel Blackburne.  
Mr. Freshfield.  
Mr. Hamond.  
Mr. Thomson Hankey.  
Sir Henry Jackson.  
Sir Patrick O'Brien.

Mr. Onslow.  
Mr. Puleston.  
Sir Charles Russell.  
Mr. Talbot.  
Mr. Torr.  
Mr. Whitwell.

SIR HENRY M. JACKSON, BART., IN THE CHAIR.

Mr. WALTER PRIDEAUX, recalled; and further Examined.

Mr. *Freshfield*.

1765. You will recollect that I had just asked you one or two questions in your former examination, and the last question I asked you was, "I understand that foreign plate introduced into this country must pay duty through the Customs," and you said that that was so; then I think it is the case that the Customs may, if they like, allow importers to take plate out for a time, giving a bond to bring it back again, and then to pay duty?—No. That is, in point of fact, what I suggested that they should do. At the present time the importer, when he pays the duty, takes his plate away, as a matter of course, and I believe even with no warning, very often, that he cannot sell it without sending it to Goldsmiths' Hall to be assayed and stamped. I have suggested, you will observe, in the clause which I have prepared, that the Customs shall actually be obliged to send it. It is in the second page of my suggestions, and I have printed in italics what my suggested alterations are: "And be it enacted that in order that gold and silver plate so imported as aforesaid may be assayed, stamped, and marked." (Now come the italics, which is all new.) "The Commissioners of Customs may permit the same to be delivered to the importer thereof, without payment of duty for such period as to them may appear expedient, and under such regulations and restrictions, and with such security by bond for the return of the same duly stamped or marked in such manner as is hereby required, and for the payment of the duties thereon as they may direct or require, and the importer shall send the same to an assay office in the United Kingdom at which gold and silver plate is now by law required to be assayed." That, as you see, brings the Customs at once into communication with the Goldsmiths' Company; and I find that my view is acquiesced in by all the respectable members of the trade with whom I have communicated. This would prevent the importer from ever being able to sell a thing which is under the standard, without having it marked.

1766. And you would require a bond from the  
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Mr. *Freshfield*—continued.

importer?—Yes, the Customs' bond, which is the usual thing.

1767. To bring it to be hall-marked within a certain time?—Yes, to bring it to be hall-marked, and then afterwards to take it to the Customs or pay the duty at Goldsmiths' Hall, whichever plan they preferred; and then we should give a certificate that the duty was paid.

1768. One word upon the evidence given by Mr. Alfred Bedford, the gentleman from America; that gentleman gave it as his candid opinion, did he not, that the hall-marking system was a good one, I think?—He did. I think I heard him say that they would desire to have it in America.

1769. Has your attention been called to a publication called "The New York Jewellers' Circular"?—It has, since I was last here.

1770. Is there a very strong article in that paper, advocating, on behalf of the American public, the adoption of such a principle in America?—There is; not only advocating it on behalf of the American public, but on behalf of the trade. The article states that the trade is being degraded and ruined by the large quantity of wares of inferior metal that are being made, which is rendering everybody suspicious of American goods all over the world, and they particularly allude to the instance of watch cases.

1771. And I think they say that they would gladly pay the duty, which would be a source of revenue to the Government, for that protection to the trade and the public?—They do. They appear to look upon it as a great grievance at the present time that they have not a system of hall-marking in America, and they actually say that they would be ready to pay duty, if it were an indispensable condition, previously to having a law for hall-marking.

1772. Has your attention been called to these few lines which, with the honourable Chairman's permission, I will read to you: "England has six standards for gold, viz., 22, 20, 18, 15, 12, and 9 carats, and two standards for silver, viz., 11 oz. 2 dwts., and 11 oz. 10 dwts. Each standard  
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has

Mr.  
*Prideaux*.  
15 July  
1878.

Mr.  
Prideaux.  
—  
15 July  
1878.

Mr. *Freshfield*—continued.

has its peculiar mark, and when this is affixed at the Goldsmiths' Hall, it is a guarantee that the goods are of that standard. Something of this kind might be adopted here. Let the Government fix the standard of gold and silver, and the collectors of Inland Revenue be required to fix the stamp of their grade upon certain classes of manufactured gold goods, the manufacturers paying a small tax for the privilege of having this seal of value impressed by the Government upon their wares. England's system of what is called 'hall-marking' for watch cases, gold and silver ware, &c., should not be overlooked. There are made in this country from 1,200 to 1,800 watch cases daily, and if these were to pay even 10 cents. each for the Government stamp bearing a guarantee of its quality, a very handsome revenue would result therefrom. Honest manufacturers would cheerfully pay this tax, and the dishonest ones should be compelled to do so for the protection of the public." Do you agree with that statement?—I do. I have already expressed to the Committee my desire rather to confine my evidence to facts, than to opinions; but, certainly, if you ask me that question, I entirely agree with it; and from all that I have heard from other quarters of the state of opinion in America, not only on the part of the public, but on the part of the trade, I am led to believe that they are desirous of having a system of hall-marking, and, if so, they are very likely to agitate for it.

Mr. *Thomson Hankey*.

1773. Would the rule which you propose to adopt respecting the payment of duty, as I understand, under bond which you gave just now to the honourable Member for Dover, apply to such a case as plate imported by a private individual?—Not if it was for his own use only.

1774. But supposing that a piece of plate is imported by myself, for my own use, I am required to pay a duty upon it, am I not?—Yes; I think you are at the present time.

1775. But if I wish to send it to Christie's for sale, it must be hall-marked?—Then you would be obliged to send it to Goldsmiths' Hall at the present time to be assayed and marked before you could sell it.

1776. If that plate was found to be below the standard, what would happen to it?—It would be broken up.

1777. However valuable it might be as a work of art?—No; because there is a provision that if it is a work of art, and made before the year 1800, it shall not be liable to be assayed and marked.

1778. Who is to judge when it was made, and how it was made; it may have been made 300 years ago?—Perfectly true; the proof, according to the Act of Parliament (which, by the way, I had nothing to do with the preparation of), the onus of proof is thrown upon the seller.

1779. Am I to understand that, assuming that the plate belongs to me, and I am the seller, the onus of proof would be on me?—Yes.

1780. Will you explain to me how I could possibly tell, having bought that piece of plate at Dresden, or in Holland, or any place purely as a work of art, what the date of it is?—In some cases you would find it very difficult, but I think in the majority of cases you would not find it difficult, inasmuch as all foreign countries have

Mr. *Thomson Hankey*—continued.

marks, and peculiar marks; and only very recently I have been able to trace a piece of plate with French marks, by observing that a peculiar mark was on it, which was first ordered to be used after 1789. Nearly all the Augsburg old plate is marked; that is to say, the really good genuine plate is marked.

1781. I have got myself several pieces of very little value, which I bought at Nuremburg years ago; if the onus rested upon me, before selling it, to prove its date, it would be perfectly impossible?—I think you will find marks upon all those pieces of plate.

1782. I do not know those marks; how can I?—But others would; if I was applied to, and I should be the person applied to to institute a prosecution under those circumstances, I need not tell you that I should give the seller the benefit of any doubt that I had upon the point, and I should not recommend a prosecution under such circumstances.

1783. Do I understand you that, practically, it is impossible that old plate would be imported sold purely as works of art, could really be destroyed?—I would not say purely as works of art, because only very recently a piece of plate made in Australia was produced to me for my judgment, and I considered that it came within the exception of 12 Geo. 3, c. 26, which states that all pieces of plate shall be exempted from being marked which are so richly engraved or chased as not to admit of a mark being placed thereon without injury; it was a very large piece of gold plate, an inkstand; and it appeared to me that it so completely came within the meaning of the words, that I ordered it not to be subjected to the assay according to the Act.

1784. But my remark did not apply to richly worked plate, it might be a small cup of the simplest possible form, but valuable purely on account of its antiquity or shape; do I understand from you that though that plate was below the standard it could be broken up?—It would be broken up.

1785. Although it was bought purely as a work of art?—If it was made since the year 1800.

1786. Supposing that it was made long before, and was purely a work of art, and evidently of no other value than as a work of art, or on account of its antiquity, would it be broken up?—No.

1787. Would it be broken up, provided it was below the standard?—No; if it was made previously to the year 1800, it would not be broken up.

1788. Then all plate, wherever it comes from, if made since the year 1800, and if it is below standard, would be broken up?—Unless it is of that character which I have just mentioned, that is to say, being so finely engraved or chased as not to have a place for the mark.

1789. If it was of a simple character, such as a mug or a plate, though it was purely a work of art, it would be destroyed?—Yes, undoubtedly.

1790. And speaking of foreign plate, how or by whom are works of art not to be stamped at the hall defined?—They are defined by 5 & 6 Vict. c. 56, s. 6: "And whereas by the said Act to amend the laws relating to the customs, the sale, exchange, and exposition to sale of gold and silver plate, not being battered, which should be imported after the passing of the said Act, and not being of the standards respectively required for

Mr. Thomson Hankey—continued.

for gold and silver wares in England, and not having been assayed, stamped, or marked as therein mentioned, are prohibited with such penalties and forfeitures as therein are declared or referred to; and whereas it is expedient that such plate as hereinafter is described should be exempted from the operation of the said prohibition; be it therefore enacted that from and after the passing of this Act it shall be lawful to sell, exchange, or expose to sale, any gold or silver plate, which since the passing of the said Act shall have been, or henceforth shall be, imported from foreign parts, such gold or silver plate being of foreign manufacture and of an ornamental kind, and having been made or wrought previous to the year 1800, notwithstanding such gold or silver plate shall not be of such standard as aforesaid, and shall not be assayed, stamped, or marked, as by the said last-mentioned Act is required."

1791. I think you said, on the former occasion of your giving evidence, that English-finished plate could not be marked without scraping it or spoiling it?—That is quite clear; you must take a scrape, and that cannot be done without injuring it at the moment. It may be finished again.

1792. That being the case, would you think it absolutely necessary to scrape it, and therefore to a certain degree to injure it?—It would be only a temporary injury.

1793. How does that rule apply in the case of foreign plate, because, of course, foreign plate is brought in a finished state?—It is. It applies in this way: The assay officers have received directions to treat all plate of that description in the best manner that they can; in point of fact, to injure it as little as is requisite in order to get the quantity of metal which is requisite for the assay; and in most cases, particularly in cases of large plate, they find no difficulty, because they can take the scrapings from the inside; for instance, if it were a cup, the scraping might be taken from the inside of the stand or anything of that sort. That is the class of articles that are being generally imported. Very few simple things, such as spoons and forks, are imported; they are not articles of a fancy character. If spoons and forks were imported it would be impossible to take a scraping from them without some sort of injury for the moment. Upon such an injury as I am now speaking of you would get much better evidence from the manufacturers and men in the trade; but so far as I know, I believe that the injury would be very easily set to rights again by being sent to the manufacturer.

1794. Then you admit that in order to hall-mark you necessarily injure the plate; and you admit also that the same rule must apply to imported plate?—For the time only. I think, referring to the watch which I saw here on the last occasion with the whole address of the manufacturer in America upon it, which appeared to be deeply stamped into the watch, if you looked at that watch at the present moment you would find that the words stamped have been obliterated, and you would not suppose that any portion of it had been touched.

1795. Will you tell me how are forged hall-marked wedding rings to be prevented from being made in Paris and sent over to England by

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Mr. Thomson Hankey—continued.

post, whereby a profit of 17s. an ounce may be made?—There is nothing to prevent the forgery any more than there is to prevent the forgery of a Bank of England note. We know perfectly well that all you can do is to be vigilant in putting the laws in force if you can, but there is nothing to prevent it.

1796. Have you any reason to believe that as many wedding rings are hall-marked by the Goldsmiths' Company as are required in England during the year?—I can answer that much more easily than if my attention had not been particularly called to the subject. Some time ago a gentleman in the trade, who was very anxious to set the Government on the alert with reference to forgeries, suggested to the Board of Inland Revenue that there were so many marriages in England (I forget the exact number), and that there were only so many wedding rings made. I had no idea, until I looked at our books, that so many wedding rings were made; but when I came to look at our books, and to look at the returns, I found that the number of wedding rings made was so very much larger than I had any idea of, and so very much nearer the actual number of marriages in the United Kingdom, that I was quite surprised. I know that amongst the lower classes the same ring frequently serves for a great number of marriages. I know that a great number of persons are not married with rings at all, and I also know that in very many cases a marked wedding ring is not used, but a bit of silver. If gold, it must be marked; but a silver ring is frequently used; and the conclusion that I came to was that there really could be very little fraud indeed, looking at those circumstances. As you have asked me that question it is as well, perhaps, that I should tell the Committee that, many years ago, information was given to the Goldsmiths' Company of an extensive forgery of wedding rings. The matter was investigated, and the people who were engaged in it were all convicted; and I have reason to believe that it has put a stop to it, from that time to this, to a very great extent.

Mr. Bates.

1797. You say that, for the future, you would suggest that all foreign gold and silver plate should be hall-marked?—I suggest that all foreign plate that comes to the Customs should be required to be sent by the Customs to be hall-marked. I am not speaking of the policy of the law at all. If these laws are to be maintained (and the object of this enactment, I take it, was to put the foreign manufacture on the same footing as English manufacture), then I think that it is absolutely requisite not to allow the Customs to part with the goods, excepting under the security that they shall be hall-marked.

1798. What would you propose to do with such foreign plate as is already in England, and has already paid the duty; what would be necessary in order to get it hall-marked?—I really cannot answer that question.

1799. Would the duty have to be paid over again?—Certainly not, if the importers can produce certificates that the duty has been paid, which I know they can do in many cases, because since that notice was issued, which has been before the Committee, foreign plate has been brought to the Goldsmiths' Hall to be

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Mr.  
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marked with the certificate of the payment of the duty.

1800. But supposing that foreign plate was brought to you that had been here for the last 25 years, and you assayed it, and found that it was quite equal to English silver, could you hall-mark that without the owner having to pay the duty again?—I think the owner would have to prove that he had paid the duty.

1801. Supposing that he had had it 25 or 50 years, what then?—The owner, undoubtedly, would have to pay it, unless he proved that he had done so.

Chairman.

1802. Would not the great lapse of time raise a presumption in his favour?—I think the Assay Office undoubtedly could not mark it without seeing that the duty had been paid at the Customs, or without receiving the duty at the Goldsmiths' Hall.

Mr. Bates.

1803. Do not you see that that would be a bar to inducing people who have foreign plate at the present moment getting it hall-marked?—I see the difficulty.

1804. Do you think that difficulty could be got over in any shape?—I have not considered the question.

1805. Did I understand you to say that the Americans would willingly pay the duty here in England?—No, I do not understand that that is the view of the writer in this American paper; what I understand is this: he says, in America, rather than not have a system of hall-marking, we should be very happy to pay a duty to the Government, if that was one of the conditions. That means the American Government.

1806. If he pays the duty to our Government he can get it better marked than there, can he not?—He gets the English hall-mark; but then I take it that what this man means is that they should have a system of separate marks in America which should be known all over the world as guaranteeing the quality of the metal in the work manufactured in America.

1807. Is a large quantity of foreign plate sold by auction at the present time?—I have heard that a good deal has been sold.

1808. How is it that you do not put a stop to this; you have the power, have you not, by Act of Parliament?—No power whatever, but by proceeding for the penalties.

1809. That is very severe, is it not?—£. 10 upon each article.

1810. Supposing there were a dozen spoons, the penalty would come to a large sum?—Yes.

1811. Supposing that I have a set of foreign silver, and I sent it to an auction room, and I sell it by the lot and not by the ounce, does not that get over the difficulty?—I have not had occasion maturely to consider the question, but I should think not.

1812. I suppose that there is but one article in 20 but what could be assayed and hall-marked without doing it any damage whatever?—I should say not one in a hundred.

1813. Even taking works of art, or anything else, as you said it would injure spoons and forks; but you do not mean to say that that

Mr. Bates—continued.

injury will last; it is only whilst the operation is going on?—I have advisedly used the word "temporary injury;" it would be an affair of 24 hours, most probably.

1814-15. You mean to say that no spoon or fork can be marked without doing it some injury, but after the article is returned to the manufacturer to complete his work there would be no injury whatever?—None whatever. You are, of course, aware that a very small portion of silver is requisite to be taken for the purpose.

Mr. Whitwell.

1816. You spoke of the introduction of foreign plate into England, and suggested that it might be marked here; how would you deal with it in marking it with regard to the quality of the gold; gold articles, I presume, are now made up to the requisite standard?—To various standards.

1817. But if the gold was over your standard, would an inferior mark properly represent the quality of the foreign gold?—That is precisely what we do at the present time. If a man sends a piece of gold to Goldsmiths' Hall to be marked with the 15-carat standard, and we find that it does not come up to the 15-carat standard, we give him the option of having it marked for the 12-carat standard if it is above the 12-carat standard.

1818. Are you now speaking of English gold or foreign gold?—The same rule would apply with regard to foreign gold if my suggestion were carried into effect.

1819. But would it not be a bar with regard to a foreign maker, inasmuch as it would possibly stamp his gold at a lower standard than that at which it was entitled to be stamped, provided that you had a graduated scale of stamping?—I think probably you are aware that in consequence of those debased standards in England, we have a lower standard in England for gold than they have in any country whatever besides. We have actually a standard of nine carats of gold in 24.

1820. I am quite aware of that, but supposing instead of being 15 carat an article was 14½ carat, then you would stamp it with the 12-carat standard?—We should stamp it with the 12-carat as we have no intermediate standard.

1821. Is that entirely fair to the gold plate which might be manufactured abroad, seeing that the manufacturer would have no power of making up to your standard of gold, because he would not know that it was coming to England?—I do not think so; I think practically there would be no difficulty, inasmuch as no country has this very low standard of 9 carats, I believe, except England; taking the case of French standard gold, they have three sets of standard gold in France, and the lowest standard, I think, is 17 carats.

1822. I will put it in this point of view: you have a 22-carat standard, but you have not a 20-carat standard, have you, excepting in Ireland?—Only in Ireland.

1823. There are four carats difference between 18 and 22; supposing that gold comes which is 21 carats, you are bound, are you not, to stamp it with the 18-carat standard?—We should do so.

1824. Is it fair to the foreign manufacturer sending

Mr. Whitwell—continued.

sending in a quantity of gold of 21½ carats, to stamp it as only of the value of 18 carats?—I think the way in which I should answer that question would be this: that if the foreign manufacturer were manufacturing for the English market he would be able to avoid the difficulty; if the foreign manufacturer had happened to have manufactured a piece of gold of the quality which you have mentioned, and which he happened to have sold to an Englishman who was bringing it into this country, all that the Englishman would want would be, not a certificate as to the actual quality of the gold, so much as a title to enable him to sell it.

1825. You would leave it then to the buyer of the gold and the seller, to ascertain the exact value between them?—They might do that by a private assay, if they chose.

1826. My honourable friend has asked you the question, how could all the gold made in the country be now stamped; if he had 5,000 l. worth of gold plate, and knowing that its value was 21½ carats, he brought it to you to be stamped, would it not be deteriorating it to stamp it as only 18 carats?—I do not think it necessarily would; I think it might be so if the only thing that was looked to was the worth of the gold in it; but it is a matter which would be very capable of explanation.

Mr. Bates.

1827. I think you said, if I understood you rightly, that you would consult me as the owner, whether I would have it marked; why would you do so?—I mean if you were only using it.

1828. Supposing that it was a manufacturer, and that it was 21 carats and you could only mark it 18, you would not mark it 18 without the consent of the owner?—No; there is no doubt about that.

1829. Then he could please himself?—Exactly so.

Mr. Whitwell.

1830. I thought you were proposing to make the marking of foreign gold compulsory?—It is now. I want to make the law complete; if the law is to be maintained, I wish to make it complete, and to prevent the scandal, if I may use the term, of such breaches of the law as have taken place lately, owing to the divergence between the law and the practice at the Custom House.

1831. Can you tell the Committee whether there was any real object in giving to Ireland an intermediate standard between 18 and 22 carats?—I have no knowledge as to Ireland, except that which I derive from books; in fact, it is very little I know.

1832. Would you see any advantage in having an intermediate standard (seeing that 18 carat gold is the ordinary standard of jewellery gold), in order to have the improved value hall-stamped?—I have no hesitation in answering that, inasmuch as I advised the Government most strongly against the introduction of those low standards. I would have only the 18 and the 20, which I have mentioned, and the 22 carat standards. I would make 18 carats the lowest which, as you are aware, is the standard of the coin of the realm.

1833. Has there been an increase lately in the 0.117.

Mr. Whitwell—continued.

use of the lower quality of gold?—Not in London certainly. I believe in Birmingham there may be some small increase. You will observe from my evidence that it amounts to a mere nothing; it is not worth considering.

1834. In a book which I hold in my hand I find it is stated that in 1855 1,132 watch-cases were stamped at Chester of 12 carats, can you explain how that was?—No; I know nothing of Chester.

Chairman.

1835. With regard to watch-cases, you told us, in your previous examination, of the time when dealers were introduced into the Act of Parliament; before that time the Act only applied, I believe, to workers in gold?—I will not say that. "Workers" was the word used, but any man dealing in silver plate after the 12th of Geo. 2 might have come and entered his mark at Goldsmiths' Hall. The word "dealer" was used in the 7 & 8 Vict. advisedly, and I gave a reason for it. Then came the Interpretation Clause, the object of which was to make the dealer (not merely the worker, but the dealer also) liable for forgery.

1836. Before that last Act which you have mentioned, could a dealer have presented a foreign watch-case to you, and required you to hall-mark it; would you not have required him to be a worker before you did it?—If the dealer had his mark entered at Goldsmiths' Hall we might do it.

1837. Have you, in practice, any dealers as distinguished from workers?—Yes; they have their marks entered at Goldsmiths' Hall now.

1838. I think you told us that you had not considered whether an auctioneer selling foreign plate not hall-marked subjected himself to a penalty for so doing, as much as though he were actually a dealer in the sense of one who buys and sells again?—I think I told you that I had not been asked to consider it with a view to ulterior proceeding, but I am under the impression that he would be liable.

1839. Supposing that he is not liable by the existing law, do not you think that he ought to be?—Certainly; and my opinion is that he is liable; he is a seller.

Sir Patrick O'Brien.

1840. In France, I think that in the shops in which articles not of the standard are sold, they are obliged by law to have the word "imitation"?—"Imitation de l'or et de l'argent." The laws are exceedingly strict in France. There a goldsmith cannot sell imitation gold and real gold in the same shop; he is obliged to put up, as you have seen over and over again in the Palais Royale, "Imitation de l'or et l'argent."

1841. If there were articles made in England of 9-carat gold, and they were exhibited for sale in a French shop, would not it be necessary to have "Imitation" over the shop, and the standard of English gold would be sold as 9 carats?—There is this to be borne in mind, that this only applies to jewellery in France.

1842. Then my question would be accurate as regards English jewellery made of 9-carat gold?—Yes; as there is no title in France of 9 carats, English jewellery of 9 carats would be certain to be considered imitation.

1843. You were asked as to whether there were

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were a great many articles made of this low standard; may I ask you whether in London, in Clerkenwell, and all about there, there is not a great deal of jewellery made for the West Indian and Australian markets of 9-carat gold?—That I know nothing about, because the Goldsmiths' Company have no cognisance of jewellery.

Mr. Whitwell.

1844. We are aware, I think, that you do not make any profit on assaying?—We cannot make any profit on assaying.

1845. Can you give the Committee the amount of money that you receive, and the amount of money that you spend?—It varies very much indeed; sometimes we have actually made a loss; other times we have made a profit. Of late years we have made a profit, and the accumulation at the present time, extending over a time of some 30 to 40 years, is 16,000 *l.* consols; which we have got put aside for the purpose of paying the annuities to superannuated officers.

Mr. Thomson Hankey.

1846. And for prosecutions?—No, the prosecutions are charged to current revenue.

Mr. Whitwell.

1847. You were good enough to state that the proceeds of the surplus fund goes to the payment of annuities, but in order to ascertain how much it costs the trade, how much do you receive per annum?—I think it is about 7,000 *l.* a year.

1848. The account, I think, is not laid before Parliament as a Parliamentary Paper, is it?—No; I think it was in 1856, but I am not sure.

Mr. Talbot.

1849. With regard to watch-cases, do I understand your opinion to be that all watch-cases should be hall-marked?—The opinion which I have before expressed is, that watch-cases are the only articles which are now obliged to be marked, as to which I suggest that the hall-marking should be voluntary.

1850. You think that the hall-marking of watch-cases should be voluntary; but what I rather wanted to draw your attention to was this: do you think it desirable that there should be a distinction between the watch-cases of one country's manufacture and those of another; I mean if there is any hall-marking watch-cases, should they all be hall-marked, in your opinion?—I think so.

1851. There should be no distinction between English watch-cases and others?—No.

1852. Do you see any objection to retaining the provincial halls?—I think I told the Committee, on the last occasion, that my attention had not been lately called to the provincial halls. As regards Birmingham and Sheffield, I consider that they are absolutely necessary. I think when I say that, and I do not mention any other halls, you may infer what my opinion is.

1853. Some special attention has been given to the case of Chester; we heard that the Americans attached rather a peculiar value to the Chester Hall; if that is so, do you see any

Mr. Talbot—continued.

objection to its being retained as a place of assay?—I think I am not prepared to answer that question now. Some time ago complaints were made at Goldsmiths' Hall with respect to the work at Chester; but our attention has not been lately particularly called to the subject, so that really I have no opinion to give to the Committee upon it.

1854. You have had some questions asked you this morning about the breaking up of foreign plate which is proved to be under the standard; do you think that any penalty could be devised which would be less onerous than that of breaking it up?—I think so.

1855. Have you any suggestion to make upon that point?—No, I have not considered the matter, but I think there is no doubt that something might be done.

1856. It is a very heavy penalty, is it not, to a man who imports, quite innocently, foreign plate, to find it broken up?—I think it is quite possible that that hardship might be alleviated at any rate.

1857. With regard to your own suggestion, I understand that you are quite in favour, if the exemptions are maintained, of their being simplified and put upon some intelligible basis?—I think it is really necessary that they should be put upon an intelligible basis. It may be that it might on consideration be requisite to make some special exemptions, but the general rule should be a limit of weight and also always bearing in mind jeweller's work, and those things which will not permit an assay to be made or a mark to be struck on them without injuring their character or value.

Mr. Bates.

1858. You say you think that something ought to be done with regard to foreign plate which is not quite up to the standard, in order to prevent its being broken; what would you suggest in that direction?—I think some measure might be devised which might mitigate the hardship.

1859. Would it not be a very simple thing to reduce your standard and to mark it accordingly?—You are asking me to answer a question which I have not had time to consider.

1860. It would be a simpler way and still show the value?—Yes, it would be a simpler way, and, if you put totally different marks on foreign plate, it would appear at first sight not to be objectionable.

Mr. Talbot.

1861. Is it quite clear that the gold mark according to the different carats weight is easily distinguishable?—Very clear indeed.

1862. I mean that a person could not possibly buy 9-carat gold thinking it was 20 carat?—No. In my last evidence I mentioned that the marks are so distinct, that not only are the Roman figures but the decimal mark is actually put in for the purpose of denoting the standard. I have here a print of all the marks which are used which I could hand in to the Committee (*delivering in the same*). There is another paper which I would wish to hand in which is much more complete than the paper which is alluded to in my evidence the other day, with regard to the number of workers, and the weight of silver marked at Goldsmiths' Hall in 1848 and 1878,

Mr. Talbot—continued.

1878, taking those 30 years during which electro-plating has come in, and I beg to hand that in as a substitute for the other. (*The same was delivered in, and is as follows:*)—

THE NUMBER OF WORKERS OF SILVER PLATE 30 Years ago compared with the Number of WORKERS at the Present Time; viz., for the Years ending May 1848 and May 1878; and the Total Weight of SILVER sent to be Assayed and Marked in each Year, exclusive of Watch Cases, at GOLDSMITHS' HALL, LONDON.

For the Year ending May 1848.

The number of large workers, that is to say, of articles weighing 4 lbs. each and upwards, was	54
The number of deliveries* of wares for Assay made by them, was	3,174
The weight of Silver of these, was	41,760 lbs.
The number of small workers, that is to say, of articles weighing less than 4 lbs., was	203
The number of deliveries by them, was	8,794
The weight of Silver of these, was	23,475 lbs.

\* Note.—Each delivery might contain several of such articles.

Mr. Talbot—continued.  
For the Year ending May 1878.

The number of large workers, that is to say, of articles weighing 4 lbs. each and upwards was	69
The number of deliveries of wares for Assay made by them, was	2,246
The weight of Silver of these, was	25,309 lbs.
The number of small workers, that is to say, of articles weighing less than 4 lbs. weight, was	264
The number of deliveries by them, was	10,843
The weight of Silver of these, was	26,779 lbs.

Chairman.

1863. With regard to what the honourable Member for Plymouth asked you, he suggested that when the foreign plate is not up to the English standard, instead of breaking it up the Goldsmiths' Company and the Assay Office might be allowed to publish its value by a special mark; what would you say to the suggestion that foreign plate should be re-imported instead of being broken-up?—That undoubtedly might be allowed; there could be no difficulty in doing it, but we are not at liberty to do it now; you are speaking now of future legislation, I take it.

Mr. JOSEPH PYKE, called in; and Examined.

Chairman.

1864. WHAT are you in business?—A retail Silversmith and Jeweller, and also wholesale.

1865. Not a manufacturer?—No; I do make things, but I am not what is called a manufacturer.

1866. And you are giving evidence as a dealer rather than as a manufacturer?—Yes.

1867. Your place of business is in Bond-street, is it not?—Yes, in Bond-street, and in Ludgate Hill.

1868. Your name has been mentioned to the Committee as having been present at that meeting of the trade of which Mr. Thomas was chairman, and as having dissented from one at least of the resolutions which were adopted by that body?—Yes, that is so.

1869. You agree, I presume, that the meeting was a representative meeting, and embraced the principal members of the trade?—No; it was an invitation meeting, that is, the invitations I think were pretty general on the one side from what I could ascertain of the meeting, and have heard since.

1870. You do not agree that it was a representative meeting, or as representing the feeling of the trade?—Certainly not.

1871. From which resolution did you dissent?—From the one about the non-abolition of the duty.

1872. From the one which agreed with the retention of the existing duties?—Yes.

1873. Will you tell the Committee on what ground you dissented?—That the duty is the great cause of the depression in the trade, or of the standstill, if I may so say; that it is obstructive in every shape and way, and certainly pre-0.117.

Chairman—continued.

vents your obtaining such works of art as you otherwise would have provided, that you did not have this duty.

1874. You consider that it oppresses the trade and prevents the development of the artistic side of it?—Entirely.

1875. What is your opinion of hall-marking; are you in favour of, or against the retention of hall-marking?—Under any circumstances, I would retain the hall-mark, but I would abolish the duty.

Mr. Talbot.

1876. I suppose that it is no use asking you what you propose as a substitute for the duty?—I should think that in order to give greater freedom to the trade, if there is a desire to maintain the income from the duty, it would be desirable to make the licenses more heavy in proportion, say to the rent that a man pays. I do not think it fair that a man living down at Hackney, or in the Hackney-road with a small shop, should pay his 2 l. 6 s., or 5 l. 15 s., the same as a man living in Bond-street, who sells his plate by the hundredweight; consequently it is for you to say how you would legislate upon the question; but it strikes me that you would get the whole duty by licensing as we have it now. I have also to say that the duty with regard to imports and exports is excessively oppressive, so much so that the trade is to a considerable extent prevented.

1877. Have you given any special attention to watch-cases?—Yes; I was apprenticed to a watch-maker, and have gone through the ordeal.

1878. Do you think the present system of hall-marking of watch-cases satisfactory, or have you

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1876.

Mr. Pyke.

15 July  
1878.

Mr. Talbot—continued.

you any suggestion to make concerning it?—I have thought very seriously of the question, but I do not see my way out of it at all. The forgeries would go on to a very great extent; that is to say, a man could send foreign watch-cases into this country, which they now make to look so much like English watch-cases, that I do not see how you are to prevent those foreign cases coming in; even if he sent English movements with them, he could remove those movements, and put in foreign movements, because the movements are imported over here as well as the cases, and even our very best watchmakers now have movements from Geneva in the rough, and finish the movements here, and consequently they are Geneva movements and not English. Some time ago I had an order from an Indian Potentate for the most valuable watch almost that was ever made, coming to very nearly 1,000 l.; it was to do every mortal thing. I tried every watchmaker here, and they all told me the same thing, that they could not make it here in less than 18 months. I then went to another very celebrated watchmaker whom I knew, and he said, "I will import the movement and finish it here." I told him where it was going to, and I said, "I do not care, as I must inform my customer to this effect."

1879. What do you tell the Committee that to show?—To show how impossible it is to prevent that; it was a foreign movement and finished here.

1880. You mean that it professed, when it went out to India, to be an English watch?—Yes, because it was finished here.

1881. Because it had the English hall-mark on it?—No, because it was finished here; it took the man six months to finish.

1882. And it appeared to the purchaser in India to be an English watch, because it had the English mark upon it?—I wrote to say my instructions were to send an English watch; I did not want it (the order) taken out of my hands, and I had a Geneva movement, of which I informed my customer, and finished it in England.

1883. What do you consider to be the grievance in that condition of things?—Simply to show now that the best watch movements come from Geneva.

1884. What is the harm that follows?—No harm, other than suggesting how you are going to define an English watch. I know there are movements made now in Geneva, and it is utterly impossible to say whether they are English or foreign movements.

Mr. Puleston.

1885. Is it not a fact that a large quantity of silver is constantly brought into this country from abroad which is very much below the standard?—Thousands of ounces.

1886. Then the Custom House authorities in that case simply require the 1 s. 6 d., or whatever it is, to be paid, and they take no cognizance whatever of the quality of the silver?—No. I recollect that some two years ago I saw Mr. Prideaux on the subject, and I said, "I am importing large quantities of silver." The largest imports come from Germany, from Hanau, Augsburg, and Holland. I asked him if I could have it hall-marked, and I most certainly recollect his

Mr. Puleston—continued.

answer perfectly well. He told me, "No, except you pay another 1 s. 6 d."

1887. Cannot you require the hall-marking as a matter of right when the duty is once paid?—It is a question that I could not answer, for I do not know; I can only say that the hall-mark being placed on the imports tends entirely to do away with the trade.

1888. Is the importation of this fraudulent silver in such large quantities beneficial or otherwise to the trade?—I do not know about its being beneficial; it is generally in forms and shapes which are considered sufficiently beautiful to command a large trade, and people know when they are buying foreign silver.

1889. Do they know it?—Yes, they cannot help knowing it, because the shape is foreign in its character, and certainly it is very un-English.

1890. You do not mean to say that an English purchaser would recognise the difference between silver of the standard and silver below the standard?—No; I am speaking of the form and shape only.

1891. But speaking of the standard value, what do you say?—The public generally look for the hall-mark, if it is an English piece of silver; and if it is not they ask, where is the hall-mark, or what mark is there on it; my trade is very large in that sort of ware.

1892. The selling of it would be a fraud upon the public, would it not?—Not at all. I have a piece of silver here (*producing the same*) which was sent to be hall-marked; it is a work of art, and therefore I may say it is deteriorated in value considerably. I have taken it off the stand in consequence of the bad stamping (*pointing to part of the figure*). Every piece of it is hall-marked. It is a piece of foreign manufacture, and this is one of the heaviest pieces which has been hall-marked.

1893. What is the intrinsic value of that silver as compared with the value of our English silver?—I think it is rather better than English silver, because I was desirous that it should not be broken up.

1894. But as a matter of fact if I buy silver work because it has the hall-mark, and it should be very much below the standard of the silver that we have here, am not I defrauded?—If you buy it for English silver, and it is not English silver, you are defrauded.

1895. How am I to know that it is not English silver?—As easily as possible, because there is no hall-mark upon it when it comes into this country.

1896. You have stated that the Custom House officer does not investigate the quality of the silver, but that he takes the duty upon anything that is presented to him?—Yes.

1897. Then when the duty is paid, as I understand, you are entitled to have the article hall-marked?—Yes, that is so.

1898. You suggest that what you lose in duty should be made up by an increased license; would you suggest that a shop in Hackney-road should not pay as much as you have to pay at the west end; how would you distinguish between the different cases?—From the rental that the man pays for the house; I was only suggesting that; I was asked the question, and that suggested itself to my mind.

1899. All those silver ornaments which have  
now

Mr. Puleston—continued.

now come so much in vogue are not usually hall-marked, I believe?—No, that is a monstrous thing; I was going to show you some of those articles; I do not deal in them myself; but I sent to a manufacturer and asked him to send me a few. He is a most respectable man in Birmingham, and tons weight of those articles are turned out every year. I will show the Committee some belts and collars and other things that ladies wear, which are weighing 10, 15, and 20 ounces; but they pay no duty, whereas the small top of a pepper-caster weighing 2 or 3 pennyweights, pays duty. (*The Witness produced several ornaments, and exhibited them to the Committee.*) I am speaking of silver now. Here is an article, a silver belt weighing 12 ounces, which pays no duty. To the person from whom I procured them, I said, "Are you aware of that?" He said, "No, I have inquired in Birmingham, and they tell me that they come under the denomination of chains;" and he is freed from paying duty.

1900. Merely because they are chains?—Yes.

Mr. Hamond.

1901. Is that belt of solid silver?—Yes.

Mr. Puleston.

1902. Supposing that those things are manufactured from silver that is much below the standard, which you say is imported so largely, how am I to know that such is the case?—You have not the slightest means of knowing; and even a retailer who is ever so well up in his business, could not tell the standard.

1903. Are you aware whether the Goldsmiths' Company have any officer to examine the silver when it is brought for duty to the Custom House?—I think not. I think the Custom House merely weighs the wares. Here are solid pieces (*producing the same*). I believe that by the removal of the duty the expansion of the trade would be something that would entirely settle the question, even of the coinage, the consumption would be so great.

Mr. Hamond.

1904. I think you said, in answer to a question put by the last honourable Member, that spurious silver pays the duty?—Yes.

1905. Do they represent it as silver to the Custom House?—Yes, anything passes through the Custom House as silver if a man declares it so.

1906. If a man declares an article as silver, and pays the duty of 1s. 6d. an ounce upon it, it is free for all ulterior purposes of his trade?—Yes.

1907. You say that the abolition of duty would expand the trade; but it appears that the payment of duty expands the trade?—But that is exactly the question: a man who buys silver when it is brought to him concludes at once that the duty is paid.

1908. Then that man actually pays duty upon an article that is not silver?—No, it is represented as silver, and it is silver.

1909. I understood your answer to be this, that that was an article which was imported from foreign parts, which was passed off at the Custom House as silver, and duty paid upon it as silver when it really was not silver?—I do not recol-

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Mr. Hamond—continued.

lect giving that answer. It would naturally be silver but of a low standard.

1910. The payment of duty does not qualify the article to be stamped, does it?—No, not at all: Mr. Prideaux has given his evidence upon that point.

1911. Is this silver ever presented at the Hall for stamping?—That I cannot say. I am desirous of showing that the evasions of the duty by means of fraudulent transactions are carried on to a frightful extent. I have been a large importer and exporter, and I have also kept a shop in the City, and I am in a position to be able to judge upon that with regard to the question of the duty on wedding rings; the duty on wedding rings is 17s. per ounce. The cost of the gold is 3l. 17s. 10½d.; that brings it up to 4l. 14s. 10½d. I can buy an ounce of wedding rings, that is 20 wedding rings made by some manufacturers, for 4l. 15s. to 5l. per ounce, and I have bought them at 4l. 17s. 6d. per ounce. That leaves less than 2d. per ring to the maker. That has been always a great puzzle to me. I never could make it out.

1912. But nevertheless, those wedding rings would be stamped, and bear the proper percentage of gold to enable them to be stamped?—That is quite certain at the Hall. It is a regular fraud; you can buy them for 3l. per ounce. The inference that I draw is that there must be something wrong; it is impossible for a man to make wedding rings under any circumstances for 2d. or 2½d. each, and go through the ordeal of selling them, and make a profit out of them.

Chairman.

1913. Do you suggest that the hall-mark is forged?—To some extent. I do not know that the hall-marks are not forged, even in this way; the hall-mark may be cut out of one ring and placed in another ring.

Sir Patrick O'Brien.

1914. Or do you suggest that the rings are smuggled?—No, there is no smuggling.

Mr. Hamond.

1914\*. Have you ever known a case in which a wedding ring has been sold when the hall-mark has been cut out and inserted in another?—No; but I know from my own experience that it can be done, and so finely soldered that you would not know it.

1915. Do you, when you purchase those cheap wedding rings, ever test them and find them to be fraudulent?—No, I do not; I have them for exportation generally. The Colonies like English wedding rings stamped.

1916. Every body, I presume, prefers a stamped article when they can get it, as showing the value which it represents, and that is the value of the hall-mark?—Yes. I am a great advocate for retaining the hall-marking under any circumstances.

1917. But you would repeal the duty?—Yes, I would repeal the duty.

1918. In order that the trade may have its fair elasticity?—Yes. With regard to the drawback on silver, nefarious transactions are carried on to a frightful extent.

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1919. Do

Mr. Pyke.

15 July  
1878.

Mr. Pyke.

15 July  
1878.

Mr. Hamond—continued.

1919. Do you know of any nefarious transactions that have taken place with regard to the export of silver, in order to get the drawback?—I only know that from what is generally known.

Chairman.

1920. Have you any data for that?—I know that a case occurred some two years ago.

1921. Do you know what port it was at?—No.

Sir Patrick O'Brien.

1922. You said, I think, that 17 s. an ounce is the duty upon wedding rings?—Yes.

1923. And that the trade are allowed a rebate?—Yes.

1924. Which brings the amount on wedding rings to 14 s. 3 d. an ounce?—Yes.

1925. Then there would be rather more than 2 d. remaining under those circumstances?—Yes; but then you allow nothing whatever for waste.

1926. You ought to have taken that into account in giving the Committee the information that the cost of making a ring was only 2 d.?—I should tell you that I buy them at from 4 l. 17 s. 6 d. to 5 l. an ounce.

1927. I think you gave that evidence grounded upon the amount of duty per ounce, did you not?—No, upon the price; showing how small a price was paid for them, including the profit of the seller.

1928. In the first instance, I think you opened your evidence with this statement, when you were telling the anecdote in connection with wedding rings, that the duty was 17 s. per ounce?—Yes, it is admitted so.

1929. Then you proceeded to show upon that foundation that the cost of making a ring would be about 2 d.?—Yes, I said so.

1930. But allowing this rebate to which I have just called your attention, showing that the actual payment, when that rebate is made, is but 14 s. 3 d. per ounce for wedding rings, your evidence would not be accurate as regards the cost of making the rings?—But you have allowed nothing whatever for waste, which you ought to do.

1931. Then I gather from your last explanation that the waste makes up for the difference between the 17 s. and the 14 s. 3 d.?—No; I do not think that the waste is as much as that; it is between the two; I would draw the line between the two. There must be some waste, and every manufacturer knows that he has waste.

1932. Taking into account what I have called your attention to, and taking into account the question of waste, what would be the difference in favour of the trade between 17 s. and what you believe the article would cost?—It would be 3 s. 2 d. to the manufacturer.

1933. You mentioned a few minutes ago, with reference to hall-marking for gold watches, that, having the London mark upon them, there is nothing to prevent the people of Besançon, Neuchâtel, and Geneva, who are watchmakers, introducing foreign works into an English watch?—Nothing whatever.

1934. Then they will always be purchased, and the only safeguard that there is for the purchase of an English watch is the honour and character of the dealer?—Entirely so.

1935. And any attempt whatever by legisla-

Sir Patrick O'Brien—continued.

tion as regards hall-marking, or by marking local names upon the watch, is of no avail, and your only safety, as I said before, is the maker's name and the character of the maker?—The character that the house bears.

1936. Alluding to that expensive watch of which you spoke, and of which you say the works were partially made in Geneva and finished in London, you were asked whether you would have known that it was an English watch. Am I right in saying that you only knew that it was an English watch by the fact of its being sent to you by an English maker as an English watch?—Precisely; and I think that there are very few watchmakers, excepting those of the very highest character, who would even know that it was a Geneva movement.

1937. With regard to licenses, are you able to give the Committee any reason why the differential character of the licenses ought to be maintained as at present, that is to say, the 2 l. license or the 5 l. license; do not you think that a grievance upon the trade of a very oppressive character?—An immense trade grievance, and a burden thrown upon some hundreds of dealers; amongst them, there would be units who sold under 30 ounces, and yet all those men deal largely in plate, their sales averaging considerably over 30 ounces, or even 300 ounces, and who as a rule, only pay the lesser duty.

1938. What you propose is, that the licensing system should be substituted for the present system of duty; would you propose to continue that differential character of the licenses?—Certainly not.

1939. When you spoke of the rent of the premises being a fair way of estimating the amount that a man should pay for a license, may I ask you whether the most influential and the most wealthy jewellers that have ever been known in London, did not live sometimes in the smallest and most obscure places, and carry on their trade there?—Possibly; I was asked for a suggestion, and it struck me that that would be a means of doing so; or you might even judge from the man's income tax.

Mr. Freshfield.

1940. I think you gave it as your opinion that that meeting of the 3rd of April 1878, in St. James's Hall, was not a representative meeting?—I said it was not, in my opinion.

1941. It was, however, attended by 150 firms of jewellers and silversmiths?—I do not know the number, but I suppose that is correct.

1942. You were there, were you not?—Yes, I was there.

1943. I think a resolution declaring that it was inexpedient to abolish the amount of duty on gold and silver plate, was opposed by three persons?—Yes.

1944. Was not there some attempt afterwards made to increase the number of opponents, and did it not ultimately result in there being six persons opposed?—It is quite possible; but I do not know any of the circumstances.

Mr. Thomson Hankey.

1945. Do you consider that there is any reason why the public should be protected, who desire to buy gold and silver plate, or gold and silver ware

Mr. Thomson Hankey—continued.

ware of any kind, any more than if they were to buy jewellery, such as diamonds, or precious stones, or china?—In buying diamonds or precious stones, a man has his sight; he naturally sees if a stone is of the right colour, and he is a man who, to a certain extent, depends upon the house where he buys it; but it is impossible for a retailer or a dealer, or any person to say what the value of silver is until it is assayed.

1946. Do you not consider that any person coming to your house to buy gold or silver plate, buys it on the character of your house, and not upon the mark?—Yes, he would do so.

1947. Then why does he require protection in your trade more than in any other?—Simply because silver is continuously passing from hand to hand, and that there is no mode whatever of judging of it, except by the test, and it is necessary for the protection of the trade to have it hall-marked. Our trade, if the duty were off, but retaining the hall-mark, would expand to an enormous extent.

1948. You consider that the present system of levying duties upon gold and silver ware retards the development of the trade of silversmiths in England?—Yes, to an enormous extent; I want to say something with regard to the evidence which Mr. Garrard gave as to silver; the majority of silver, he said, was 10 s. per ounce that he manufactured. I dare say it is so in the case of Messrs. Garrard's silver, but I am doing business in the City, and I am also doing business at the west end of the town, and I am exporting also; and I would state that the majority of utility things, such as salt-cellars, and tea services and other things of that sort, are made in large quantities continually by silver manufacturers, averaging from say 3 s. 6 d. to 5 s. an ounce. Here is a new article (*producing a salt-cellar*), which is ordered by five or six dozen, or half-a-gross, and it costs me manufacturing about 3 s. 6 d. per ounce.

1949. Is that in addition to the price of silver?—Yes, in addition to the price of the silver; these are the articles that are bought by foreigners, and they would be much more largely dealt in if there was no duty.

1950. This could be bought, you say, at 3 s. 6 d. an ounce in addition to the price of the silver, if there was no duty?—It is to be bought now. I pay for that 3 s. 6 d. per ounce to my workmen. It would weigh three ounces, and it would cost 13 s. for the silver, 3 s. 6 d. for the fashion, as we call it, or making, that is 10 s. 6 d., and that would bring it to something like 24 s. 6 d. I contend that electro-plate of one of the best houses would cost from 15 s. to 18 s., and consequently everybody would rather buy silver but for the duty, and the expansion of the trade would bring it down to that. I say that the best electro-plated salt-cellar would cost 15 s.

1951. How much would that salt-cellar be worth with the duty?—Twenty-four shillings and sixpence. I gathered from Mr. Garrard's evidence that they are not in the habit of supplying the working classes, or people below the aristocracy, with silver of any kind, whereas I am continually selling it, and consequently we have to sell it at the lowest possible price.

Mr. Bates.

1952. You do not intend to compare this salt-  
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Mr. Bates—continued.

cellar which you have produced with what is made by Messrs. Garrard?—I daresay they pay a better price for their work, but that is a useful article in every shape and way.

1953. Is the top fastened on?—Yes, the top is generally fastened on with hard solder.

1954. Of how many pieces is this composed?—It would be made in six or eight pieces.

1955. You say that you would like the duty to be taken off, how would that affect you with your stock?—Very materially indeed; I have a very large stock, and it would affect me very materially.

1956. Would you expect to have the drawback upon that stock?—I have never given that a thought; I would not care about that so much; I think that the expansion of the trade would pay me to such an extent that I should be very glad to see the duty removed.

1957. And yet you would retain the hall-mark under any circumstances?—Yes; I would retain the hall-mark under any circumstances.

1958. Is this belt standard silver?—Yes; certainly.

1959. Instead of taking away the duty, do not you think that it would be much better to compel such articles as these (*holding up a belt*) to be hall-marked?—If you did away with the duty I believe that the influx of trade to Goldsmiths' Hall would astound them. I think that every man would have everything hall marked, because of its being a guarantee of its value.

1960. You do not know what standard this is?—No, I have no idea. I merely sent for those things to a manufacturer, and asked him to let me have them. The Birmingham people generally use silver in these things, from about 2 s. 6 d., and it would be about one-and-a-half or two less than the standard.

1961. Supposing that the duty were put on such articles as these, do you think that it would make any difference?—Yes.

1962. How many people are there using such an article as that at the present day; of standard silver, not Birmingham silver?—I could not give you any figures. I know that the Birmingham people, in the silver ornaments that they do, are turning out work almost by the ton.

1963. Do not you think that for the safety of the public it would be better to have it hall-marked?—Most decidedly; I am contending for that. A man would not buy anything without its being hall-marked. Now he knows that the duty is paid, and he says, "I am satisfied, when you say it is silver."

1964. What is the weight of this band or collarette?—Ten or twelve ounces.

1965. What do you sell that at?—I do not keep them; I merely brought them to show the Committee the anomalous position of that trade, that the small top of a pepper-caster weighing 2 dwts., and worth about 6 d., must be hall-marked, and that that band need not be.

1966. Then the inference is that you think that this ought to be hall-marked?—Yes, certainly. I think that the exemptions are stupid in the extreme.

Mr. Whitwell.

1967. You stated that you would retain the hall-mark under all circumstances; do you mean  
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Mr. Pyke.

15 July  
1878.



Mr. Pyke.

15 July  
1878.

Mr. Whitwell—continued.

to say that you would have a compulsory hall-mark?—Yes.

1968. With regard to this article, how would you mark such a chain or band as this?—That is not for me to say. There would be a mode of arriving at it, I daresay.

1969. I presume that the plate in front could be hall-marked?—No, that would be very dangerous, inasmuch as that could be removed and another band placed round the waist.

1970. Is it not a fact that on account of the difficulty of hall-making chains, chains are exempted?—Yes; but it has been stated in evidence that there are many people who desire to have those hall-marked; and that has led to an immense amount of cheating.

1971. Would you preclude every article of silver below the standard from being sold?—No, not foreign silver; English silver I certainly would.

1972. You would not allow a man to make a single article of a diminished value of silver, although there might be a demand for it?—No, not under any pretence; but there would never be any demand for it on the part of persons who had silver.

1973. Would the class of people who buy cheap silver articles by the ton not continue to purchase them?—Yes. The difference in silver is so small; it is not like a gold article.

1974. Do not you think that there are an enormous number of articles sold made of very deteriorated silver?—I am certain of it.

1975. Would not the difference between very deteriorated silver and standard silver be considerable?—Yes. Very deteriorated silver, at the very outside, would only be worth about 2s. 9d. per ounce, because very deteriorated silver you could tell in a minute by the acid; the acid would show it up at once.

1976. Looking to the enormous number of articles that are consumed by the public at large, would you presume to say that the manufacturer of the country would be injured if he spent his money on deteriorated silver?—The manufacturer

Mr. Whitwell—continued.

of the country would not be injured at all; I feel certain of it.

1977. Although you say that there is so little advantage in buying these articles as compared with pure silver, you admit, I presume, that there is an enormous quantity of electro-plated silver sold?—Yes; but I did not understand that you were classing electro-plate with silver under any circumstances.

1978. I was not classing electro-plate with silver; but I asked you whether there is not an enormous quantity of electro-plated silver sold? Yes, but not for silver.

1979. Could you preclude the sale of electro-plated silver?—Certainly not.

1980. And you have no wish to preclude the sale of it?—Not at all.

1981. Why should you wish to preclude the sale of a manufactured article under the standard quality of silver?—Because the electro-plate is used as electro-plate, whereas the other is represented as silver.

1982. Is there not as much difference between electro-plated silver of one quality and of another quality as between those ordinary articles and standard silver?—Yes; a shopkeeper, or a retailer, or a dealer, can tell it pretty generally from the finish.

1983. You are anxious for the trade generally; but is there any possibility of protecting the public against anything except what is sold for standard silver?—No, there is nothing to protect the public that I am acquainted with. Only last year I had a letter from Rome about an excessively valuable piece of silver, weighing some thousands of ounces, and I was asked if I knew anyone here who would buy it. I said they might send it to the Custom House, but I should not undertake to clear it. Everyone knows the difficulty of taking a customer down to the Custom House to see a piece of plate. This was a magnificent work of art, and afterwards it was bought for the Louvre.

Mr. DAVID GLASGOW, called in; and Examined.

Mr.  
Glasgow.

Mr. Thomson Hankey.

1984. WILL you state what is the nature of your business?—I am a watch manufacturer, and I have been a manufacturer of the best class of watches in London for the last 30 years.

1985. Do you know when the duty was taken off gold and silver watch cases?—I believe it was in 1798, long before my time; there was no duty in my time.

1986. Do you consider that the hall-marking of watch cases is any advantage to the public?—No, I do not, broadly speaking.

1987. Do you consider it any injury to the trade, as retarding in any way the development of the trade?—Since I have been here I have heard Mr. Prideaux say that he wished to make the hall-marking of watch cases optional; I believe that that would be the proper solution of the question; and that those people who wished the hall-mark as an addition to their own character might have it; those men who chose to make watches, and rely upon their own re-

Mr. Thomson Hankey—continued.

sponsibility or respectability, could do without it.

1988. Do you believe that watches with forged names of English makers, and imitation hall-marking, can be ordered and obtained in the United States or in Switzerland?—I know that thousands of them have been ordered and obtained in Switzerland; I do not think it is so in the United States.

Chairman.

1989. Do you say that you know that to be the case?—Yes, I know it; that is a Swiss forged hall-mark (*handing in a watch*), with an English maker's name.

Mr. Thomson Hankey.

1990. Is there any considerable export trade in English watches?—Yes, in first-class English watches.

1991. Is



Mr. Thomson Hankey—continued.

1991. Is it in really English watches, or in foreign works made up and sold as English watches?—It is in the English watches, both real and imitation.

1992. Has the export trade in English watches diminished, so far as you know, during the last 20 or 30 years?—I think so, so far as I know; I have been principally connected with the making of watches for export, and, therefore, I know something about it.

1993. To what cause do you attribute the falling off in the export of English watches?—I attribute it principally to fraudulent representations of the best English makers, by Englishmen themselves sending them out and selling them in large quantities; here is an example of it, and it is the worst watch that I ever saw; it is an English hall-marked case, but it is worth nothing but the gold in the case, and never was (*handing in another watch*); it has the forged name of Roskell, of Liverpool; that firm send out watches to South America, and if it was believed to be Roskell's, it would sell; but that watch is utterly useless.

1994. Has the hall-mark been considered in any way as the trade-mark of English watchmakers by exporters?—Never to my knowledge; it would be a very bad thing if it was, as it would enable people to do as those people have done, to make a rubbishy watch, worth nothing at all, with the real hall-mark on it; that is the Chester hall-mark which you see upon that watch; they would be able to sell that as an English watch, and would utterly destroy the prominence of that first-class maker.

1995. As an exporter of watches, do you believe that spurious watches purporting to be English watches are hall-marked, and that they come into competition with good watches which are made and sent out for sale?—I certainly do; the hall-mark only assists in passing them off as real.

1996. With what object would you continue hall-marking, even voluntarily?—It would be no disadvantage to the trade of watch making whatever; the machinery for hall-marking is already there, and as the Goldsmiths' Company are not unwilling to mark the cases when they are sent to them, if there are any who wish to pay for the mark, to have their reputation certified by the Goldsmiths' hall-mark, let them do it.

1997. Has the experiment been tried of obtaining workmen in England who can work equally as well as the Swiss workmen?—We have plenty of Swiss workmen in London, and always have had.

1998. Cannot the English watchmakers, by employing Swiss workmen, work as cheaply and as well as the Swiss watchmakers?—Swiss watchmakers are more difficult to pay in London than Englishmen, and not better men; they want more wages than Englishmen, and are not as good workmen; they require to serve their apprenticeship over again before they can do our best work; there are a few very excellent Swiss workmen in London, but then they have all served an apprenticeship in England.

1999. Do you believe that there is any advantage whatever to the manufacturer of British watches by attempting to protect him by any Government marks against the competition of

Mr. Thomson Hankey—continued.

foreign manufacturers?—I do not, for the simple reason that we have four times as many Swiss watches brought out that have no hall-marks whatever on them, and it is an injury to the English manufacturer that those watches should be sold all over the country with the names of English makers upon them. The hall-mark is a mere nothing in comparison to the name of an English watchmaker on the back of the watch or case.

2000. Are you also a manufacturer of clocks?—No, I am not. I am a clock maker, but not a manufacturer of clocks.

2001. Can you buy watches of American makers on equal terms with watches of Swiss makers?—I have never taken it into my mind to think of the Americans as watchmakers at all. On this day week I saw an American watch here, but it turns out that it is only an American movement. The case is made somewhere else. They cannot make cases there; and such a watch as that could not compete with English watches.

Chairman.

2002. Mr. Bedford put in that particular watch as being a watch made in America, and sent over here to be marked, and sent back to America, and there filled with American works?—I beg your pardon, I thought that that statement referred to Switzerland.

2003. The particular watch which we had in the room he said was made in Waltham, sent over here, sent back again, and fitted with American works?—Even the fact of their making the case would not enable them to compete with either England or Switzerland.

Mr. Thomson Hankey.

2004. Do you consider that it would be desirable to leave the trade in watches as free as the trade in any other article made in this country, which is not subject to Government inspection?—I think so.

Chairman.

2005. Do you put in both those two watches as specimens of forgeries?—No; one I say is an English-made watch with the name forged, but not a forged hall-mark (I believe the hall-mark is correct), and the other one is a Swiss watch with a forged English hall-mark, and with an English name forged.

2006. That forgery, as you know, is punishable by law?—Yes; but those watches are sold in Spain, and they are sent abroad as English watches. There are very few of them sent to this country.

2007. You mean to say that protecting them here does not necessarily protect them abroad?—That is so.

2008. But it is conceivable, is it not, that conventions might be made between the British Government and foreign Governments, which would give protection?—That watchmakers would very much like. If a convention could be made with the Swiss Government, that would prevent the Swiss forging the names of English watchmakers, the English watchmakers would be very grateful for such a convention.

2009. You know that that has been attempted

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to be done with regard to ordinary trade marks?—Yes, I do; but I understand that the Swiss Government have refused.

2010. That particular difficulty which you referred to with regard to those two watches might be obviated if such a convention, or arrangement, could be brought about?—Quite so.

2011. You seem to fall foul of the word "trade-mark"; that the hall-mark is not a trade-mark; who ever said it was?—It has been said so.

2012. Where did you get hold of that impression?—I have got hold of the impression from a paper which was prepared by a meeting of watch-case makers principally. I believe the paper was sent to this Committee, or to yourself, as the Chairman of this Committee. It made the impression on my mind that a portion of the English trade considered that the hall-mark was a trade-mark.

2013. You are Mr. Glasgow, a member of the council of the Horological Society, are you not?—I am a vice-president.

2014. I think I have been favoured with some resolutions which were passed at a meeting of your society?—Yes.

2015. I am informed that the number of members who proposed that resolution was exceedingly small; is that so?—They were a small number.

2016. Consisting of three only; yourself and two others, I believe?—No, there were more.

2017. How many were there; four?—Yes, there were more than that; there were not many; perhaps there were half a dozen.

2018. I see in that paper that the Horological Society, or the representatives thereof then assembled, fall foul of that expression "trade-mark"; that the hall-marks were not a trade-mark; do you recollect that being discussed?—Yes.

2019. I ask you again, do you remember who had ever said that they were trade-marks?—I have heard it said so 20 times, in Clerkenwell, by people who were agitating for this particular measure that is being brought before the House of Commons, and I have argued the question and said it was not.

2020. What particular measure are you referring to?—I am referring to the Bill which was printed, and which is before this Committee.

2021. I have that Bill in my hand; I think that you have imagined that this Bill says, or ought to be understood as saying, that hall-marks are trade-marks; is not that so; candidly was not that your idea?—I cannot say that just now. I do not think the Bill says that.

2022. The Bill says this: "Whereas the hall-marks impressed by the corporations authorised by law to assay and mark gold and silver plate in the United Kingdom have, by usage, become distinctive of British manufacture only, notwithstanding that those corporations are not legally entitled to refuse to mark articles marked out of the United Kingdom." Is not that a perfectly true statement?—I do not know that it is a true statement, because the inference from that would be that it is a trade-mark.

2023. It is said, that by usage the hall-marks have become distinctive of articles of British

*Chairman—continued.*

manufacture only, although in law they are not so, because the Corporations are not entitled to refuse to mark foreign articles; I ask you, is not that a true statement of the present law?—Yes, that is a true statement of the law, certainly.

*Mr. Puleston.*

2024. What did you mean by saying that the Americans were not watchmakers, it being a fact, as I understand, that there are very large manufacturers there, the Waltham Watch Company, and some half-dozen other very large concerns indeed?—I say that if they can produce nothing better than the watch which I saw here on Monday last, they will not compete with the Swiss, or the English either. In that sense I do not consider them watchmakers, because their movements were first introduced into this country in block, to be sold to dealers, and were not intended to be sent out again to the United States. They are sold here now in large quantities. Mr. Bedford represents one company; but there is another company which do not put their name on the watches, but leave it to the country dealers to put their own names on. I presume that was why he thought it was so much of a crime to place the names of English makers on Swiss movements. But those watches will never compete with the watches which the Swiss make.

2025. You are aware, are you not, that there is a considerable trade in American watches in this country?—I do not know the extent of it; I believe there is; I do not think that any Government guarantee will improve the trade in this country. I think if our cheap watchmakers have invited by their want of energy the Swiss or Americans to make watches, and send them here, they deserve to lose the trade. It is a disgraceful thing for the English makers to permit 18,000 cases to be sent to Switzerland last year to have the movements put in them, to be sold here as English watches.

*Chairman.*

2026. You mean disgraceful to them as tradesmen?—Yes; at any rate, to stand with their hands in their pockets and permit those cases to be made in Switzerland or America. There is no reason why English workmen cannot make them as well as those in Switzerland and America. In England the watchcase makers have their lathes in just about the same condition of things as they were used in the days of the Egyptians; one of the most primitive forms.

*Mr. Hamond.*

2027. You stated just now that you think that the English people ought to be ashamed of not running more favourably in the race of competition with other nations; are you not aware that one manufacturer in Sheffield or Birmingham turned 200 cases a week of those watches which go to America?—I have heard of it, but I am not aware that it is true. I have heard a great many stories. I have heard that there was a machine for making watch cases in Coventry that was to turn out I do not know how many thousands, but I have not seen any.

2028. You know that watch cases are turned out

*Mr. Hamond*—continued.

out to a very considerable extent in Birmingham in one manufactory, and that they are afterwards sent to America; you know that as a fact, do you not?—I do not know it at all. I have heard some talk about it, but I have never seen such cases.

2029. But it is nevertheless true that there is a factory in Birmingham which has turned out 200 cases a week, and that those cases are sent to America?—If they are sent out to America for the movements and they are sold here, I think it is odd that they should have cases made here to sell in America, and that we have cases made in Switzerland to sell here.

2030. It is a common custom to put American movements in watch cases made both in England and Switzerland, is it not?—I should have thought not; but from the evidence that I heard last week, I suppose it is.

2031. Therefore being a common custom, naturally the watch cases must be made to a considerable extent in England?—I understand the representative of the American Company, who gave evidence last week, to say that they were not; that they were made in the United States or in Switzerland.

*Chairman.*

2032. What he said was that last year his company had had 5,000 watch cases made in England, and about 15,000 watch cases made in Switzerland, and that both were made for the purpose of having his own company's American movements put into them?—I heard that; and I know as a fact that for this company English case makers were employed at the beginning, but they made a complaint, which I think was a reasonable one, that the charge was too much, because they were dome cases, and because it was something different to what they had done before. They wanted to open the case of the watch, to pull it up in front, instead of making the case to open at the back. The American movements would not do for cases of the other kind; therefore they have been, in fact, compelled to send them to Switzerland.

*Mr. Hamond.*

2033. Have you had any experience of American watches?—None whatever.

2034. So far as you are concerned, they may be very good movements?—I have been invited upon several occasions by the representatives of both the American companies here to go and to look at their works; I have no good word to say about the American watches; they are very anxious to put the matter before me in its best light; and I have gone, and I have found fault with them; and from what I have seen of them I am giving my evidence to-day; I do not think that they are worth anything; I believe that the Swiss will beat them out of the field at far less money; the Swiss are a nation of watchmakers, and have been so for centuries; that is my opinion.

*Sir Patrick O'Brien.*

2035. You were asked as to whether the hall-mark is anything of a trade-mark; let me refer you to a question which I asked Mr. Watherston, No. 343, page 17, to this effect: "So far as placing the hall-mark upon a foreign watch is 0.117.

*Sir Patrick O'Brien*—continued.

concerned, it in no way implies that when you are buying it, it is a watch of British manufacture;" and his reply was: "I should say that it does imply that; there is no doubt about it. If you see the mark there you naturally think that it is a London-made thing;" do you concur with that answer?—Certainly not. You go into a watchmaker's shop in London, and you buy a watch with his name on it; that is all.

2036. And he has appended to it the hall-mark, stating that it has been hall-marked in London; and I ask you whether that implies that it is a British watch?—No; because the Goldsmiths' Company hall-mark any kind of case that is sent to them, whether it is made here or abroad.

2037. But, as a matter of fact, it has been stated that you can introduce American, English, German, or Swiss works into a case marked in the London hall?—So you can.

2038. And, therefore, as a protection, and as showing that it is a British-made watch, it is perfectly futile?—Quite so, because some of the largest houses in London make one-half their watches with foreign movements.

*Mr. Thomson Hankey.*

2039. Although bearing the hall-mark?—Yes, and the cases are not necessarily of English make.

*Sir Patrick O'Brien.*

2040. The Chairman stated that a number of forgeries were committed; but that is a breach of the law, and it can be punished as such; but is it not a fact that English makers get watches made in Switzerland, and marked with their own names, and that those are sold in London afterwards as their own manufacture?—Yes, quite so.

2041. Therefore, they commit a forgery upon the public, although it may not be a legal forgery?—Quite so; it is not a legal forgery.

2042. A great deal has been said about the great and acknowledged superiority of English over all other watches; do you know that there are 15,000 watchmakers at present in Besançon?—I do not know the exact number, but there are a great number.

2043. Do they not make a class of watches infinitely superior, as a rule, to those made either in Neuchâtel or in Geneva?—No, certainly not, nothing of the kind, nothing nearly so good.

2044. If I were to call your attention to the names of some of the makers in that town whose works have been exhibited at the French Exhibition, would you be likely to modify your opinion?—Not the slightest.

2045. Did you ever hear of a man called Cressier?—Yes, I think I know the name.

2046. Did you ever hear that he has the repute of being about the first watchmaker now in Europe?—In Besançon he may be, but not in Europe.

2047. Perhaps you are not at all acquainted with that town, so as to know that there are some 15,000 watchmakers in it?—I know that they make a particular quality of watches, but they are inferior to the best Swiss watches undoubtedly. I know the gentleman who represents the Besançon trade in London.

2048. Naturally they will make a great deal of rubbish where they have got so many watch-

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makers; but have you ever heard that there is good and bad stuff made there as well as in Geneva?—The best watches sold in Paris are not Besançon, but Swiss watches.

2049. Without mentioning the name of a very distinguished watchmaker in Paris, although you know him, is it within your knowledge that he gets his watches made in Besançon?—No, it is not within my knowledge; I know nothing about it.

2050. You know with regard to the particular place that I am examining you about, Besançon, have you any knowledge of the people there?—No, I have no knowledge of them at all. You ask me, as a fact, whether they make better watches in Besançon than in Geneva, and I say it is not so. A watch made in Besançon is no better; it is not so good.

2051. Then I asked you upon what grounds you founded that opinion?—Upon no grounds but my own judgment, and I can have no better.

2052. How many Besançon watches have you seen in your life?—I cannot answer that question; it is impossible.

2053. I am asking the question in order to know upon what your judgment is founded?—It is founded upon the fact that I know the gentleman who represents a Besançon company here, and I have bought his watches; and I should know something about them.

2054. Are you aware whether that gentleman is what you call selling rubbishy watches, that is to say, cheap watches, in order to get a ready sale?—I am perfectly aware of the reputation of every place in Europe that makes a good watch. A man cannot be 30 years in the trade, as I have been, without knowing anything about it.

2055. You have not been in the habit of selling foreign watches?—No; I have been selling my own watches, not foreign watches.

2056. Then your knowledge is derived from gossip?—No, it is not derived from gossip. I have seen the Besançon watches; the facts are within my knowledge as a watchmaker.

2057. Your knowledge as a watchmaker has nothing to do with watches that you know

Sir Patrick O'Brien—continued.

nothing about; your knowledge is only about English watches, and upon that I know that you are an authority?—No, it is not that altogether.

Mr. Freshfield.

2058. You do not think that the hall-mark is an advantage?—No, I do not.

2059. But a great many persons do optionally have their watches marked?—They must have them marked now; and I say that if the mark was optional, I do not at all object to hall-marking.

2060. But do not many of them optionally have them marked?—There are many foreign cases marked at present; but that is to give them the character of English watches.

2061. Is that because people conclude that it is the standard of metallic value?—If a watch is worth anything, the standard of metallic value of the case must signify very little. If I sell a watch worth 40*l.*, the only deterioration that would not be readily observed would be about 20*s.* upon the case.

2062. Are you of opinion that it is no advantage to have a standard of metallic value such as is furnished by the hall-mark?—No, I do not think it is any advantage.

2063. Is that the opinion of the trade generally?—No, I do not think it is.

2064. You are in the minority in that opinion, however sound your opinion may be?—I do not think so, inasmuch as watch cases are concerned.

2065. I think there are but half a dozen persons in favour of your view?—The meeting to which you refer was not a public meeting, but a meeting of the Council of the Horological Institute, called to consider this question of hall-marking; and although it consisted of fewer members than usually attend, the resolutions passed on the occasion were only a repetition of resolutions passed at former and much larger meetings.

2066. Has there been any other large evidence of the opinion of the trade in general?—There has not been at present.

Mr. WALTER BARNARD, called in; and Examined.

Mr.  
Barnard.

Chairman.

2067. You are a member of the firm of Edward Barnard & Sons, are you not?—I am.

2068. Where is your place of business?—At Angel-street, St. Martin's-le-Grand.

2069. You are a manufacturing silversmith, as I understand?—Entirely so.

2070. We want to hear the views of the manufacturers as well as of those who, like Messrs. Garrard, are dealers also; I may take it that your firm is one of the largest manufacturing firms in the kingdom?—Yes, in our particular department; we exclude spoons and forks only. In the manufacturing of silver plate, we are both the oldest and the largest firm in the kingdom by far; but we do not manufacture very much in the way of spoons and forks.

2071. But you manufacture all other kinds of plate, tankards, and presentation plate, and so on?—Yes, everything.

2072. What is your view respecting your firm

Chairman—continued.

of the question of the repeal of the duty?—I do not think it would be advisable to repeal the duty, principally for this cause, that the repeal of the duty would, in my opinion, involve the doing away with the hall-mark, or rather would endanger the hall-mark; and for that reason I look, in common with others, very jealously upon the proposal of repeal.

2073. Am I to understand that, as a manufacturer, lest the hall-marking should now be put in peril, you are willing to pay this duty on the raw material?—Yes, on the manufactured article, and for other reasons, which perhaps I ought to mention. One is, that the reduction which would take place in the price of silver plate (which would amount to about 12 per cent.), would not place it in such a position as that it should be able to compete with electro-plate; and as the public do not seem to object, but rather are quite willing to pay this duty, because of

*Chairman*—continued.

of the guarantee of the hall-mark which they get, I do not see why the duty should be repealed, as neither the trade nor the public are asking for it.

2074. Do you conceive that you can get such a price from the public, your customers, for the wares which you manufacture, that you do not think that you would do more business even if the duty were taken off?—I do think so; I have thought much about it, and I think there might be a slight increase if the hall-marking, as it now exists, could be preserved to us; of course, we are not anxious to pay the duty, and we would be very glad to take any increase of business that might come from its abolition; but it really does hinge upon that question, whether the integrity of the hall-mark, and the maintenance of it as it now exists, would continue if the duty were repealed.

2075. Do not you think that if the duty were taken off, you might have some competitors in the trade, and that some new business might be started?—I think it very likely.

2076. That is a circumstance which I presume you would rather avoid?—I would not object to it at all. I have no objection whatever to fair competition.

2077. The duty is not paid on raw silver, as I understand?—There is no duty on raw silver, only on the manufactured article.

2078. Have you ever considered whether the duty could be, or ought to be charged on the silver which is used in electro-plating?—Not specially.

2079. As I understand, a considerable quantity of silver is used in electro-plating in the year?—An enormous amount.

2080. Have you any data for saying what the relative proportion of raw material used in silver goods, and in electro-plated goods, would be in the course of the year?—I can only refer to the same data open to the honourable gentlemen of this Committee, and to the rest of the world, that is the evidence of Mr. Seyd, and he gave it in in 1876, when the Committee sat on the depreciation of silver, at one million ounces.

2081. And about the same quantity that was worked up into actual plate?—Yes; and if that amount is correct (viz., 1,000,000 ounces) it would represent an enormous amount of manufacture in electro-plate. Taking into consideration the large proportion which is very slightly plated, I calculate that 1,000,000 ounces deposited would represent about 3,500,000 *l.* sterling per annum of manufactured electro-plate, the retail price of it, and taken in connection with Mr. Prideaux's statement, that the absence of increase in the manufacture of silver plate dates from the introduction of the electro-plate, it goes to show that this very large trade supplies a public demand which otherwise silver would to some extent have supplied.

2082. Do I formulate your answer by this: that in your opinion one and one-fourth million ounces worked up with electro-plate represents 3,500,000 *l.* of value?—Mr. Seyd gives it as under 1,000,000; and if he is correct, I consider my estimate a low one; but a considerable proportion of the silver used by electro-platers is worked up into silver goods; and should that silver have been included in Mr. Seyd's calculation, my estimate would be excessive.

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*Chairman*—continued.

2083. Have you ever complained of the electro-plates not being liable to duty; has that ever been a grievance at all?—It has not; but then we could not see how the duty could be calculated or enforced; that would be a very difficult thing.

2084. You have spoken for your own firm as a very large manufacturing firm; are you able to tell the Committee what is the view on this subject of the other manufacturers, distinguishing them from dealers?—All the important manufacturers with whom I have had any conversation on the matter, and we have had numerous conversations and debates, agree, I think, with the view which I am endeavouring to put before the Committee.

2085. Mr. Pyke told us just now that the particular meeting in St. James's Hall, which has often been referred to, does not represent his branch of the trade; were you present at that meeting?—I was.

2086. He said that it was not a representative meeting; do you agree with that answer?—I do not agree with it, and I was very much surprised to hear it, because circulars were sent round without respect to the views or opinions of anyone, and there were no exceptions made in sending out those circulars.

2087. Nobody was excluded?—No one was excluded.

2088. Are you quite sure of that?—With the exception of one person.

2089. Is that a person whose name we have had before us?—I would not say that that person was excluded, but he was not invited, and for the reason that his opinions were already fully known, and had been brought prominently forward in the public press, and also we were not anxious to go into a number of side questions which were not pertinent to the matter which we had in hand.

2090. Had you any share in the convening of this meeting, and could you tell us what number of circulars were issued?—I was a member of the Committee who convened the meeting; but I could not myself say the number. There are gentlemen in the room who could give that information.

2091. But you know enough of the trade to say that according to your view both the manufacturers and the dealers hold that opinion as a rule?—I think so, very largely indeed.

*Mr. Bates.*

2092. That is to say in London?—Yes; and from all parts of the country, from the principal men in the different towns, we have had opinions which fall in with ours; and I myself who travel over the country took the opportunity on my last journey of ascertaining the opinions of the trade.

*Chairman.*

2093. I have had officially from the Assay Authority at Sheffield, an intimation which I have put upon the table of the Committee, that that authority desires no change in the existing system; with regard to the other country authorities, so far as you know, do you think that they would hold the same view?—I have no means of ascertaining what the views of the authorities at Sheffield or elsewhere are.

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2094. I understand

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Mr. Talbot.

2094. I understand you to be very definitely of opinion that hall-marking is to be kept up by all means?—Yes.

2095. Perhaps you will tell the Committee why you consider hall-marking so exceedingly important?—First of all, I consider that it ensures to the public a standard of silver, and I think that its discontinuance would lead to confusion and to anarchy in the manufacturing trade, and an amount of roguery and forgery which it is very difficult to gauge.

2096. When you speak of forgery, is it not the fact that the hall-marks are forged already?—One hears of it, but I would not like to say that I have ever seen an English forged hall-mark.

Sir Patrick O'Brien.

2097. Have you seen it transferred?—I have seen it transferred many times.

Mr. Talbot.

2098. When you say an English forged hall-mark, do you mean an English hall-mark forged abroad, or in England?—What I meant to say was a forgery committed in England upon the hall-mark; because I have seen not only English hall-marks forged in India, but articles with actually our own registered makers' mark on them; I have seen it on a piece of Calcutta work very carefully imitated, and I have also seen it in Chinese work.

2099. The value of the hall-mark is therefore diminished if it can be so successfully imitated?—I do not think it can be successfully imitated. Anyone who had any knowledge of it would have easily seen that it was a forgery.

2100. Would the public have easily seen the difference?—With reference to this foreign-imitation, I think so, because it bore upon the face of it that it was a foreign piece of work.

2101. It might have been a foreign piece of work and hall-marked in England?—I do not think that the public themselves could have been deceived by such pieces as I am alluding to.

2102. Are we to understand that you value the hall-mark chiefly because it is a protection to the public, or do you value it chiefly because it is something in the nature of a trade-mark?—I chiefly value it because it is a protection to the public; and being so the public naturally desire to have English-made plate rather than that which does not bear the hall-mark; foreign plate.

2103. If you are only speaking in the interests of the public, why not let the public take care of themselves?—The public interest is our interest.

2404. That means, does it not, that you find that if the public are not sufficiently protected, they will not buy enough of your silver?—That is one of my reasons; but another reason for retaining the hall-mark is this, that it puts us into a fair position of competition with other manufacturers; and if the hall-mark were done away with, we should be open to any extent of fraudulent competition.

2105. By that you mean, I suppose, that foreign manufacturers would import a large quantity of spurious silver into this country and sell it as good silver?—That would be so, but I am thinking more of English manufacturers.

Mr. Talbot—continued.

2106. I am not suggesting any opinion of my own; but will you tell the Committee what you think would happen if the hall-mark were done away with?—Immediately silver articles would be manufactured of a lower standard than that which now exists, and there would be no means of telling what the quality of the silver was by looking at it; and therefore we should be at once placed in a position of unfair competition with those who are not honest.

2107. You think that the hall-mark is a protection to the honest trader?—Yes; and to discontinue the hall-mark would be an incentive to a dishonest manufacturer.

2108. Will you just tell me why it is more necessary for the public to be assured by a hall-mark of the quality of silver than it is to be assured by a hall-mark of the value and quality of the gold in jewellery?—Silver plate is a much more bulky article; it seems to me that the public largely invest in silver plate as an investment, and that they wish a guarantee so that they can ensure a certain amount of return at any time. We manufacture bullion in fact, and it seems necessary that the public should know that they are truly having bullion when they buy it; because setting on one side all its other value it ought to be, if it is hall-marked, worth so much an ounce, so many half-crowns, so many crowns, or shillings manufactured into plate which can be turned back again into half-crowns at any time.

2109. Would it be your opinion that you would like to have gold hall-marked if it could be done without injury to the article?—I think I could not enter into the subject of jewellery or gold work. I see at once a difficulty in hall-marking jewellery.

Sir Patrick O'Brien.

2110. Assuming that we were to continue the hall-mark but not to render it compulsory, am I right in saying that it would afford the trade all the protection necessary by showing that the standard of the silver was of the proper character?—If it were voluntary, the door is open at once for fraud, if it is voluntary there is nothing to prevent a dishonest manufacturer from making silver of a low standard and selling it as being up to the higher standard.

2111. But would not the public have it in their own hands not to purchase silver professing to be of the standard, excepting it was hall-marked?—Yes.

2112. It would have this effect, would it not, referring to the non-compulsory marking, that it would introduce a trade in a lower class of silver?—It might have that effect.

2113. And that would be objectionable to the trade because it would disorganise it?—Yes, and it would produce, as I have endeavoured to show, fraud. The public would not know what they were buying.

2114. But I understand from you that fraud exists already in some cases, by the transfer of the mark?—It does.

2115. I only want to collect whether if you had the power of having the hall-mark voluntarily applied, it would not answer all the purposes of the public, because they would have the hall-mark when they buy standard silver, but yet it would throw a trade open which does not now exist



Sir Patrick O'Brien—continued.

exist in England for silver of an inferior description for poorer people?—There would be that opportunity if the public desired it, of having silver of a lower standard.

2116. And at the same time preserving the authority of the large trader in having a standard recognised by the hall-mark; I am speaking in case it was not abolished, but was rendered non-compulsory?—If you will allow me just further to answer your question, if the hall-mark were rendered voluntary, there would necessarily be no penal enactment, and therefore forgeries of hall-marks might exist then more frequently than they do at present.

Mr. Bates.

2117. You generally make, I think, the more expensive class of silver articles, do you not?—We have a trade in every variety of articles; our manufacture is considered of the best, but we make every-day articles, and we make works of high art frequently as well.

2118. What is the greatest amount per ounce which you pay for labour on silver, for instance, the most expensive article which you make, how much does it cost you per ounce?—It would be a very wide answer that I could give to such a question.

2119. You very often manufacture, do you not, articles costing 20s. per ounce labour, duty and everything included?—We sell to the retailers; of course if I give you a price, then that price is to be supplemented by the retailer's profit; we do not manufacture much up to 1l. an ounce; I think 18s. an ounce is about as high as we do.

2120. Supposing the duty were taken off, would you charge less?—Yes, the price I have given would include the duty.

2121. But suppose the duty were taken off would you still charge the 18d. an ounce?—We could not; the retail trade would not let us.

2122. That is to say if you had to manufacture it; but what would the trade do?—They must answer for themselves; we could not do so.

2123. Do you think that if this 1s. 6d. per ounce were taken off those good articles, the public would get any share or portion of it in any shape or way?—I do not think they would get it altogether. We should have to give it because we deal with the trade.

2124. It was stated that 1,200,000 ounces of silver were used in electro-plate; and you were asked why the duty should not be charged upon that; did it ever strike you that that 1,200,000 ounces of silver is not manufactured at all, and therefore there is no duty to be charged, as it is not manufactured; it is simply bullion, is it not?—It enters into and forms an integral part of a manufactured article.

2125. But the electro-plating of the article itself is merely a washing?—It is a deposit.

2126. But that deposit is not manufactured?—That is a very nice question; I am not at all sure that the process of depositing may not be called manufacturing.

2127. And you say that under any circumstances you think that the hall-mark ought to be preserved?—Most emphatically I think so.

2128. For the reasons you have given, namely, that if the duty was taken off, and hall-marking was voluntary, you think respectable men would

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Mr. Bates—continued.

be placed in a very improper position with respect to those people who are not so very particular as to the quality of the silver used; is that what you say?—Yes.

2129. You have heard of such a thing as a hall-mark being taken from one ancient article and being placed upon a moderate one; that is done to a very trifling extent, is it not, as compared to the quantity of plate sold?—I should not be prepared to say that it was to a trifling extent.

2130. Do you think that any large amount of that trade goes on; we have heard of cases, I am aware, and I know of one case myself, that was brought before the public not long ago, but it is not frequently done, is it?—I cannot answer that question, being simply a manufacturer of new plate; I have not very much old plate passing through my hands.

Mr. Whitwell.

2131. I think that in an answer in the early part of your evidence you have said that there were very frequently transfers of marks from one piece of plate to another?—That is my belief.

2132. You said also, in answer to one question, that if voluntary hall-marking was established there would not be the same ease in prosecuting a forgery as there would if it was compulsory; can you tell me why; if a person wilfully commits a forgery, is it not a fraud that ought to be prosecuted in some way?—I have not a doubt of that; but if hall-marking were to be made voluntary, the Goldsmiths' Company would, I apprehend, have no power to prosecute.

2133. I think you said that you would like the duty to be taken off if the hall-mark could be preserved?—We should have no objection to that at all, provided we were recouped for our loss, which would be very heavy upon the unsold stocks which we hold.

2134. But in fact, provided that the matter of recouping you was arranged, you would think it advantageous to the trade generally, if the duty on silver was taken off, provided the hall-mark could be retained?—It is possible that it might be an advantage, although not so great as has been mentioned.

Mr. Talbot.

2135. May we take it, that you do not wish for this, but you would acquiesce in it?—We should be much pleased to be remitted any tax, but we do not ask for the remission of this one.

Mr. Whitwell.

2136. If I understand you aright, you do not ask for it, because you would prefer a compulsory hall-mark?—That is so; but I do not think that it would increase the trade.

2137. Would you like to have the duty raised?—I think it is quite high enough for all practical purposes.

2138. You told the honourable Member for Plymouth, that if the duty was taken off, you would reduce the articles that you sell to the trade by the amount of duty; has not the reduction of the price of an article a tendency to increase the sale of it?—Yes, it has.

2139. Did you find it necessary to reduce the price of silver plate that you sold to the trade when silver was reduced?—We did reduce our charge for silver.

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2140. You

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2140. You did not think it necessary to reduce it to the extent of the reduction in silver, but you made a reduction?—We made a reduction.

2141. Do you think that the benefit of that reduction went to the public?—I have no dealings with the public, but I should hope that it did.

2142. But you are not aware that the price of silver plate which the dealers sold, was lowered in proportion to your reduction in price?—I have reason to believe that a reduction was made in many cases, because the public read in the newspapers a great deal about the reduction of silver, and they brought a pressure to bear upon the shopkeepers.

2143. But the number of persons engaged in your trade, that is to say, the number of dealers, is not so large but what there can be mutual arrangements come to, so that it is not necessary always to make large sacrifices as it would be in other cases?—We have made no arrangements with the dealers.

2144. The number of great dealers is not so large but what they can make arrangements amongst themselves not to give the advantage of any little reductions that take place?—I think that there are quite a sufficient number in the trade to create wholesome competition, and to prevent their making any undue exactions.

2145. Then you think after all, that the duty, if taken off, would be given by wholesome competition to the public?—Yes, I think it would to a large extent.

2146. Not to the full extent?—That depends upon the individual character of those who sell to the public. I think that the public would get a large part of the profit, perhaps the whole.

2147. May I ask you whether there are many firms engaged in your special branch of production of articles, and selling articles which you produce to the dealer?—There are not a very large number of firms, because it is not a very large trade.

2148. Could you enumerate the number of persons who are engaged in that branch of the manufacture in London?—I should not like to do so without reference.

2149. Are there 50?—Under 50; and that would comprise a large variety of manufacturers; small workers and others.

2150. Your trade excludes spoons and forks; does it also exclude those minute articles of personal dress, jewellery, and so on?—Entirely.

2151. Are the articles which you make formed of a great number of parts in the process of manufacture?—That would depend very much upon the articles. Some articles are made up of a number of pieces, some are hammered out of the body in one piece, and certain parts mounted on.

2152. Supposing you were making what I will call a composite article made of a number of pieces, is each of those pieces stamped?—No; each separate piece is drawn or scraped at the Hall, but the one mark answers for the whole article that is in one piece.

2153. But if those various pieces are sent separately, then the Hall will not mark them as one piece, will they?—I will explain it to you by taking a familiar article, say, a tea-pot. Al-

Mr. Whitwell—continued.

though the legs (some tea-pots are made on four legs) are separately made and soldered on, yet there would not be a hall-mark on each one of those four legs, but there would be a separate mark upon the cover, which is only jointed to the body, and a separate mark on the handle, which is pinned to the body through the ivory plugs.

2154. When you send that tea-pot to the hall, do you send the legs separate from the body?—No, we send it completely manufactured, but not polished.

2155. I am now speaking of articles of a composite nature, when they go to the Hall in a number of various portions; in that case do they mark each portion?—Each portion is marked.

2156. How many separate articles would you sometimes have to send to the Hall in a day?—It varies very much; if it were small work it might be 100 or 200.

2157. Do they all go at one hour of the day?—I believe they all go before a certain early hour in the day.

2158. Are they left there for the day, and does your messenger bring them back?—Yes.

2159. Have you to send several times during the day?—We cannot send except in the morning.

2160. And they come back at night?—Yes, they come back at night.

2161. All that you have to do is to send a messenger with them, and to receive them in the evening?—We send a messenger for the bag in the evening.

2162. Do they all get marked during the 12 hours they are absent?—It is a rare case otherwise.

2163. Sometimes are they detained till the next day?—Rarely so; but sometimes it is so.

2164. Then practically you have no inconvenience in having to submit your article in process of manufacture, to be marked at the Hall?—No inconvenience whatever. We have no fault to find with the way in which that is administered.

2165. If that system was abolished, and you could be equally protected, would not that be an advantage to you?—I do not quite take your question.

2166. If the system of having to send valuable articles away from you, and getting them back in the evening, or the next morning, could be abolished without imperilling the imposition of the hall-mark, would it be any advantage to you?—I do not see that it would be any advantage, because I do not see how the work could be assayed properly unless it were left in charge of the office.

2167. I think you say that you travel through the country to sell the articles which you manufacture?—I take periodical journeys to large towns.

2168. In fact in those towns, if they have no hall or institution for marking the articles, they could not make them themselves?—They could make them and send them up to London.

2169. Would not it be a great risk and a great inconvenience to have to send them up to London?—I think not, for the reason that although they have a hall in Sheffield, as a matter of fact they send a very great deal of work to London to be hall-marked there.

2170. Why

Mr. Whitwell—continued.

2170. Why is that?—Because they value the London mark.

2171. Then in fact, in your opinion, the London hall-mark is more valuable than the Sheffield, or Dublin, or Chester mark?—It is reckoned so.

2172. Can you tell the Committee why?—I cannot give a reason why, but it is so, that manufacturers in Sheffield will send a great deal of their work to be hall-marked in London, because the London manufacturers have a name for producing a better style of work.

2173. Then it is a fact that so far as the London hall-mark is concerned, it is in that respect a trade-mark, because it is considered to represent a London manufacture?—It cannot be called a trade-mark, because whatever value may be set upon it, it is not in fact a trade-mark.

2174. But if a manufacturer in Sheffield prefers to get the London hall-mark placed upon his articles because it gives his articles a better reputation, it is with the view of getting them recognised as London-made articles, is it not?—I suppose so.

2175. All I mean is, that it is what you would call a trade-mark as to the London make?—Yes, in so far as I understand you it would be so.

2176. How do you manage so as to make all your silver articles exactly of the proper standard?

Mr. Whitwell—continued.

—We use a very great deal of care. We never manufacture anything without having had a careful assay made of the skillet of silver which is rolled into the metal which we are going to use.

2177. In your experience have you had any articles which you have sent to be stamped sent back on account of being below the standard?—If they were below the standard they would be smashed first and sent back afterwards. We have not had such a case.

2178. They send back the smashed silver, do they?—Yes.

2179. In your experience have you ever had an instance of anything of that kind?—In my experience, no, but in the experience of the firm I have heard my father say that once we had our silver broken up, because we fathered some country work to oblige a customer. He brought his work in with ours, and it was sufficient to vitiate the assay, and to smash our work; but that was over 40 years ago.

Mr. Freshfield.

2180. If the law as to compulsory hall-marking was abolished, do not you think that the effect would be to encourage the manufacture of spurious old plate?—I think so.

Mr. JAMES GENT, called in; and Examined.

Chairman.

2181. I UNDERSTAND that you are a Watch-maker at Clerkenwell?—I am a watchmaker, of the firm of George Carley & Co., of Ely-place. It is a very old established firm; one of the oldest in London. We have to employ watch-case makers.

2182. Do your firm carry on extensive business?—Very large business; we are wholesale manufacturers.

2183. Do you buy foreign watches, and sell them, or do you only deal in your own make?—We manufacture our own work, but we also import Geneva watches and Swiss watches.

2184. You know that the English watch-makers complain of foreign watch-cases made abroad being sent here, and being hall-marked here by the English assay offices?—Yes, that is so; I am aware of that.

2185. What is your opinion upon that complaint; is it well founded, or not?—My opinion is this, that it is manifestly unfair to the British watch manufacturer, and also to the case maker, who are directly interested, and if this system of hall-marking foreign cases went on, it would really go to the effect of exterminating the watch-case making in this country.

2186. On what ground do you consider it unfair?—When I say it is manifestly unfair, my reason is this, that it is a cover for commercial fraud, inasmuch as a Swiss manufacturer can make his own movement of fac-simile appearance to an English movement, and send it over here, and have an English case made for it. It is hall-marked, and then completed as a *bond fide* English watch.

2187. Do you consider that a watch, on the case of which is the English hall-mark, has

Chairman—continued.

thereby an additional value given to it?—It certainly has.

2188. Is it so accepted in the trade?—Yes; for instance, if I have a dozen watches in my stock that are of Geneva make of some kind, and not English hall-marked, I cannot sell them to the retailer as though they had the English hall-mark.

2189. What signification to the trade does the English hall-mark bear on it?—That it guarantees to the public that it is a *bond fide* British manufacture, and any person, looking at the case, and seeing the English hall-mark, would not hesitate a moment respecting its being an English watch.

2190. That is to say, the hall-mark is recognised as a statement to the purchaser that the case upon which it is placed was made by a British manufacturer?—Yes; quite so.

2191. Within your own personal knowledge?—Yes.

2192. That has been so till quite recently, has it not?—Yes, this is not perhaps a new thing; there have been Swiss cases made with very superior movements for the best London houses many years ago, some of the west end houses; but those houses did not sell the watches as really English manufacture.

2193. I want to draw a distinction between the watch and the case; I understand you to say that until recently the mark on the case has indicated that both the case and the movement were English?—It has indicated that both were English.

2194. It said nothing about the maker, but simply said they were both of British manufacture?—It would be taken as an inference that

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the movement was also of British manufacture.

2195. The British manufacture in watches has been considerably restricted by law, has it not, that is, you have to comply with certain legal requirements in manufacturing your watches as regards the hall-mark, and so forth?—Yes; in cases that is essentially so.

2196. The whole of the watch case must be of the standard metal, must it not?—That is certainly so.

2197. You cannot introduce any part of a watch case which is of an inferior metal?—You cannot.

2198. Can a Swiss watch case or a French watch case be made which is not all made of the intrinsic standard metal?—No, it must necessarily be made of the same relative value, otherwise it would be refused at the Hall here; if you mean in Swiss work then I can answer you very plainly; you may have 18 carat covers, and you may have 9, or 10, or 14 carat metal to the middle of cases.

2199. May you not even have a brass dome?—Yes, that is frequently done.

2200. Is it not the fact that if an English maker, after he had had his case hall-marked, were to introduce a metal dome, or an inferior dome, he would be liable to a heavy penalty?—Yes, he would.

2201. I suppose an English watch would do just as well as a watch even if it had a metal dome?—Yes; but the dome then would not be sent to the Hall.

2202. So that the different requirements of the law operate against the English manufacturer in competition in cheap markets?—Undoubtedly it does.

2203. Then an English manufacturer is not allowed to enter that race by the law of the land?—He cannot.

2204. A foreigner, who can compete with him without those restraints, can also, if he likes, have the benefit of the English law, without being subject to that difference?—That is so.

2205. Does that strike you as a satisfactory condition of things?—That is what I mean by its being manifestly unjust; and it is also a cover for commercial fraud.

2206. What is the feeling of the trade, so far as you know, upon the subject?—Collectively, I can scarcely say in London, but my opinion is that with regard to the casemakers certainly they are unanimous, and the majority of manufacturers to whom I have spoken are in favour of retaining the hall-mark, and abolishing the present system of hall-marking foreign made cases.

2207. Are you aware that there is a Bill referred to this Committee which proposes to enact that no foreign made watch-case shall be hall-marked in this country?—I am aware of that.

2208. Do you approve of it?—Entirely.

2209. Do you think it would be fair to the British manufacturers, and not unfair to the foreign ones?—It is fair, and it is not only fair, but it is really necessary for the British manufacturer; I do not see what the foreign manufacturer has to do with it at all, inasmuch as it is a foreign made article, and, therefore, I do not see that it should come under the notice of our hall-mark at all.

*Chairman—continued.*

2210. You think that the British hall-mark should be a British thing?—Certainly.

2211. The foreigner can get his own hall-mark abroad?—Yes.

2212. Under our present hall-mark, 18 carat stamped on all the best cases is a guarantee that it is 18 carat gold of the standard quality, and, therefore, if a purchaser only wants to know the quality, he can tell it by the English mark or the Swiss mark?—Yes.

2213. And anything else is telling him what is not true?—Quite so; it is operating very seriously against our English manufacturers.

2214. That is not legitimate competition, you think, but illegitimate competition?—It is illegitimate competition. I have two watches here (*producing the same*), and any person looking at one of these watches would say, it is an English watch, it has the English hall-mark, and the parties to whom I sell this watch can have their own names engraved on the plate, and, if they have no compunction of conscience, they could retail this watch to their customers as an English made article, although it is not so. That is how it operates. I was in Dublin the other day; now I will give you a case in point. There is a new Swiss house started in London, and they have introduced what they call English watches. I had the pleasure of seeing one of them; one of my customers put it before me and said, "Here is a watch 10*l.* less than yours," he said, "You are beaten out of the market." I said, "Not so; will you allow me to look at it"; and I said, "If that be an English watch, it is impossible to produce it at the price you state." I asked him for an eyeglass, and on examining it carefully, looking into the details and little items which he had passed, I discovered that it was not an English manufactured article. I know the case-maker well. The case had been passed through his hands, finished off, hall-marked, and marked with his initials, and passed as an English manufactured case. Yet not one thing in that watch, except the dial, was English.

2215. I understand your case is this, that you do not mind competing with that maker, provided he says that it is a foreign watch and you are allowed to say that yours is an English one; but you object to competing with him if he is allowed to put a representation on it of what it is not?—Yes, and it is not honest to the manufacturers that those watches should be introduced to the trade as English manufactured articles; that is where the injustice takes place.

*Mr. Bates.*

2216. In fact, you cannot compete against fraud?—It is utterly impossible.

*Chairman.*

2217. We had a gentleman from America here last week, and he produced a watch, on the back of which there was not only the English hall-mark but the mark of his own firm; an honourable Member took that watch away, and has brought it back to-day with the mark of the firm completely obliterated to our eyes; could any distinctive mark added to the hall-mark be readily obliterated?—If the case were engine-turned, it could not be readily obliterated, but if it were a plain

*Chairman*—continued.

plain case it would be perhaps possible; it would depend upon where the mark was inserted.

2218. Could the Assay Office in England impress a distinctive mark in a part of its assay as one of the hall-marks in such a manner that it could not be readily obliterated?—I think that that could be done.

2219. Then supposing, instead of refusing hall-marking altogether to foreign watches, the law were that they were to be hall-marked with a distinctive mark, would that satisfy your view?—That would be a protection over what we have by our present system; it would be better than nothing, but I think it would be infinitely better if it could be arranged to prevent the hall-marking of foreign cases altogether.

2220. If that could be done, your own view is that you will be satisfied, or it would be a reasonable concession to the trade if they required something distinctive to be impressed upon foreign cases?—Yes, that would meet the case.

*Mr. Bates.*

2221. Provided it was sufficiently deep?—It must necessarily be deep; in fact, it should form a portion of the punch that marks the cases, so that it would be equally deep as the hall-mark.

*Mr. Whitwell.*

2222. What kind of mark would you have attached?—That is a thought that I have not entertained.

2223. An F would not be sufficient, would it?—I fear not, inasmuch as the public would have to be educated to it.

2224. Have you no suggestion to make upon that point?—Yes. The words “foreign make,” in centre of hall-mark, would be necessary, so that erasure could not be effected.

*Chairman.*

2225. This is the watch in question (*handing the same to the Witness*); you see that is engine-turned on the back, and the words “Waltham Watch Company” were perfectly plain and legible on the back, but the honourable Member for Plymouth has had them obliterated?—I can see that there has been some polishing away here (*pointing to the watch*); but that can be done easily.

*Mr. Bates.*

2226. Would not the foreign hall-mark be taken away unless it was very deep, or where would you put your mark?—I would make it a part of the hall-mark; the distinctive mark should form a portion of the hall-mark, and that might be done very easily.

2227. You would have the English mark and the letter F, or whatever it might be, in one punch?—Yes, that is what I should suggest; but an initial or initials would not be sufficient; “foreign make” must be adopted to distinguish it from an English case.

*Chairman.*

2228. That, you think, would be better than the present system?—Undoubtedly.

*Mr. Thomson Hankey.*

2229. I believe that any plate or watch-case may be marked now without any reference to its origin?—Certainly.

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*Mr. Thomson Hankey*—continued.

2230. Then it is not true to say that the present mark is a distinctive mark of British manufacture only?—It is understood to be so.

2231. I thought you told us just now that the Goldsmiths' Company would mark plate without any inquiry as to the origin of it?—That is so.

2232. Then how can you say that it is distinctive of British manufacture only?—It is so understood by the public; I allude to the British public.

2233. It is not a distinctive of British manufacture, is it?—It is not in that sense.

2234. It is not in any sense, is it?—It is so understood by the public.

*Mr. Talbot.*

2235. I think the honourable Member is quite right, that the hall-mark does not mean that it is made in England, but it means that it is up to a certain standard of value?—Yes; the question which the honourable Chairman put to me was this: whether I considered that the fact of a case having the English hall-mark would be considered a trade-mark, or a distinctive mark of English manufacture, to which I answered yes.

*Mr. Thomson Hankey.*

2236. I asked you whether you considered that it was a distinctive mark of British manufacture only?—I cannot say it is, as a fact.

*Chairman.*

2237. You only say that a new system has sprung up which is considerably open to fraud?—Yes.

*Mr. Thomson Hankey.*

2238. How long has the system existed?—The system, I suppose, has existed some years.

2239. Has it existed 20 years?—Yes, I should think so.

*Chairman.*

2240. How long has the system of impressing English marks on foreign cases existed?—I cannot answer the question exactly; I should think many years; it is quite of rapid growth.

*Mr. Talbot.*

2241. I understand you to wish to exclude from the English halls all watch-cases which are not made in England; is that so?—That is so.

2242. Do you think it is possible to carry that system out?—Certainly.

2243. How could you carry it out?—Why should any foreign made cases receive the English hall-mark?

2244. I am not arguing the point with you, but I want you to show me how you would carry it out; for instance, supposing a watch-case made in America is brought to England, and taken to the Hall to be marked, how can you say that it shall not be marked?—The only suggestion that I can make is to inflict a penalty.

2245. How are you to prove that it came, not from England, but from America?—Because I know it myself, and any case-maker does.

2246. Then I understand that you are in favour of the 4th clause in the Bill, in which it is proposed that the Assay Office shall not mark a watch-case until there has been produced to them a declaration made and signed before a justice of the peace, or some other authorised person, stating

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stating that, to the knowledge of the declarant, the watch-case has been manufactured in the United Kingdom?—Yes, that would answer the purpose.

2247. Is not that a very restrictive clause, and unlike our usual practice in England?—I do not see why it should be considered so, inasmuch as we wish simply to protect the British manufacturer.

2248. You wish to protect the British manufacturer, but I thought that was the very thing which you have now found it impossible to do; in fact, you wish to return to the system of protection?—Not at all; not in that sense, because, as we have been arguing all through, it is a cover for fraud.

2249. But you said you wish to protect the British manufacturer?—Yes, against fraud.

2250. But there is no fraud if a person brings a perfectly good silver watch-case from another country, and asks us in England to say whether

Mr. Talbot—continued.

it is good silver or not; there is no fraud in that, is there?—No; but it is a cover for fraud, as I stated just now.

2251. That is, you say, indirectly a fraud is committed?—Undoubtedly, often.

2252. I only wish you to consider whether it is possible by means of such provisions as this Bill contains to provide against that, and you think it is?—I think it is feasible and practicable also.

2253. If feasible and practicable, do you think it desirable?—Very desirable, certainly.

Sir Charles Russell.

2254. As you are a practical watchmaker, we have had it in evidence that an experienced person could tell a foreign made case from an English made case; is that your belief?—There was a time when such could be done, but they have imitated our English made cases to such a state of perfection now that it is almost impossible.

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*Monday, 22nd July 1878.*

## MEMBERS PRESENT:

Mr. Bates.  
Colonel Blackburne.  
Mr. Campbell-Bannerman.  
Mr. Courtney.  
Mr. Freshfield.  
Mr. Goschen.  
Mr. Thomson Hankey.  
Sir Henry M. Jackson.

Sir Joseph M'Kenna.  
Mr. Muntz.  
Sir Patrick O'Brien.  
Mr. Puleston.  
Sir Charles Russell.  
Mr. Talbot.  
Mr. Torr.  
Mr. Whitwell.

SIR HENRY M. JACKSON, BART., IN THE CHAIR.

Mr. EDWARD JOHN POYNTER, R.A., called in ; and Examined.

*Chairman.*

2255. YOU are the Director of the Arts School at South Kensington, I understand?—I am Director for Art of the Science and Art Department.

2256. And you are a Royal Academician, are you not?—Yes.

2257. We have been told that you have some considerations pertinent to this inquiry, which you desire to offer to the Committee, or which you thought would be of use to the Committee in reference to dealing with gold and silver plate, artistic plate?—I have never expressed any desire to be examined here, and I am not very conversant with the rules for marking plate, but my attention was called last week to a case which appeared to me to show that the rule was unfortunate as it acts at present, that is to say with regard to the compulsory marking of old plate.

2258. Would you tell us the circumstances of the case to which you refer?—A gentleman who had two silver rosewater sprinklers of Indian workmanship which were 70 or 80 years old, and of fine workmanship, wished to sell them, and he took them to a dealer, a pawnbroker. The value of the silver was not very great, but this pawnbroker said he would be very happy to buy these two rosewater sprinklers if the gentleman would take the risk of the marking. It appears that those rosewater sprinklers, being of Indian workmanship, were not marked. My friend asked where he should take them, and he said, "They will have to go to Goldsmiths' Hall to be marked, and if they are not of the standard value they will be broken up." If this is true it appears to me to be a very barbarous rule, because it is obvious that however beautiful a work of art might be it would be destroyed if the silver did not happen to come up to the required standard; and supposing you bought a silver-gilt cup, say by Benvenuto Cellini, the result would be the same. The thing might be worth hundreds of pounds sterling as a work of art, whereas the value of the silver might not be worth 20*l*. It must be very prejudicial to the encouragement of good art if fine works of art are subject to that rule.

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*Chairman--continued.*

2259. Your view, I take it, would be, that if the law is altered it would be desirable to provide that the assaying authority should not break up silver below the standard, but should mark it as below the standard, or, at all events, should return it?—It appears to me that that would meet the case.

2260. We have had a witness who told us that the present state of the silver art manufacture, from the point of view of art, is not satisfactory, and that, in his opinion, the remission of the duty would have a tendency to develop artistic excellence in the manual workmanship of gold and silver; have you any ideas on that subject with which you would like to favour us, or does that come within your department?—I have never considered the subject, and I do not know how it would affect it.

*Mr. Bates.*

2261. Did this case of the rosewater sprinklers occur lately?—It happened last week.

2262. Were they gold, or what?—They had a little coloured enamel upon them.

2263. Was it cutch work?—No, it was hammered work; it was *repousse* work; I do not think it was cutch work.

2264. What was the weight of those articles? They were not valuable as silver; they were of no great weight; they were made of very thin silver, but they were very beautiful in style. My friend simply retained them; he would not run the risk of sending them to Goldsmiths' Hall.

2265. But works of art are exempt, are they not?—That I did not understand, and the pawnbroker did not understand it, because he said he could not buy them.

*Mr. Muntz.*

2266. It appears that the pawnbroker would not buy them unless there was evidence that they were of standard silver?—Yes, that was so.

2267. And therefore the dealer would not buy them, and the possessor, whoever he was, objected to have them marked for fear of their being

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being broken up?—Precisely so. The pawnbroker would not take the risk of sending them to be marked, because they would have been broken up if they were not of standard silver.

2268. In your opinion, that is a very barbarous rule?—Yes.

Mr. *Bates*.

2269. Could not the pawnbroker have had them assayed privately before sending them to the hall?—He offered to assay them, and the possessor said he might, but even then the pawnbroker would not take the risk.

2270. But you can assay them yourself, can you not?—I was not aware of that. This man said that he could not expose them in his shop for sale without having them marked.

Mr. *Thomson Hankey*.

2271. Have you not understood that the pawnbrokers or Christies are not at liberty, indeed that it would be illegal for him to sell plate, whether works of art or not unless they are hall-marked?—That is what I understood.

2272. And you believe that to be the case?—Yes, I have understood so.

2273. Then, as representing the Government with respect to works of art, you would therefore have some difficulty in buying a work of art at Christies' sale if it was not hall-marked;

Mr. *Thomson Hankey*—continued.

would you not consider that you ran the risk of having it seized?—That is precisely the risk which I understand that I should run. I know another case where a chandelier was taken to be mended, and it was brought back by Garrard, or whoever the person was who had to mend it, in the middle of the night, because they said that if the police had discovered that this chandelier was not hall-marked it would have been seized, if they did not bring it back. I was told that two days ago by a lady of distinction.

Mr. *Whitwell*.

2274. Are you aware whether that chandelier was a work that ought to have been stamped?—I should imagine that it was of foreign workmanship.

2275. I ask you whether you know that or not?—I do not know it; I know that it was an old chandelier, and that it had been in the family for a long time; it is much broken; but they cannot get it mended because they dare not risk sending it to the silversmiths to mend.

2276. Perhaps you are not aware that the law is such that so long as an article is in private possession it need not be marked, and that marking is only requisite on exposing it for sale?—I was not aware of that; I can only say that this is what I was told.

Mr. JAMES WALKER, called in ; and Examined.

Mr. *Walker*.

Chairman.

2277. You are a watch case maker at Coventry, are you not?—Yes.

2278. And doing a considerable business there?—Yes.

2279. And you have come here as representing the industry of watch case making in Coventry, and to speak before this Committee as to their views?—Yes.

2280. You are aware, of course, of the Bill which has been referred to this Committee with reference to the marking of watch cases?—Yes.

2281. Would you explain to the Committee the ground of complaint of the Coventry watch case makers?—Our ground of complaint is this, that the foreigners through their agencies in this country are having their cases marked at Goldsmiths' Hall. We have so many less cases to make, and it assists in palming off a fraud on the public as we consider.

2282. Will you develop that idea; how do you mean that it defrauds the public?—A Swiss or American case, as the case may be, that bears the impress of the English hall mark is taken by the general public to mean an English article, and the cases looked upon by the public as covering the watch.

2283. Do you in Coventry consider that the English hall mark on the face of it makes it an English watch?—Yes, not only in Coventry, but in the country through.

2284. That is what Coventry wishes to say on behalf of the country?—Yes.

2285. And you do not think that right?—I do not think it right at all.

2286. Is this practice of hall marking foreign watch cases upon the growth?—It has been growing for the last three or four years. It had

Chairman—continued.

been done for 10 years past, but to a very limited extent compared to the dimensions which it has assumed now. It has only become noticeable in the last two or three years.

2287. Do you know where it is mostly done?—I should think at Chester, in the silver trade, at all events.

2288. I have received a return from Chester this morning, in which I find that down to 1876 all the watch cases marked at Chester were English made, and that in 1876 they hall marked 25,778 silver watch cases at Chester; in 1876 they hall marked 34,846, of which they say 10,224 were foreign made; and in 1877 they hall marked 45,355, of which 20,704 were foreign made; showing the same quantity of English manufacture at Chester, the addition being entirely of foreign-made watches; do those figures agree with your idea of the growth of the business?—I should think they would be about the same, as we formed our conclusions upon information which we have obtained respecting it before.

2289. You said it began, I think, about 10 years ago; before that time I do not think it was possible, was it, to get them marked in England?—No, I do not think it was. There was an alteration made in the condition of the hall by which they allowed the word "dealer" to come into their rules, which admitted persons out of the trade entering their punches, and it is those persons who get their cases made and marked now.

2290. You are a watch-case maker, I think you said; it might be suggested that it would be to your interest to make a watch case for any other person, whether he is a foreigner or an Englishman; what is your opinion upon that subject?—



*Chairman*—continued.

subject?—My opinion and also my practice has been this: I have been applied to by the Elgin Company, I think about three years ago, to make watch cases for them, but I would not do so.

2291. Is that an American Company?—Yes.

2292. Will you tell us why you refused to do it?—The agent for the company said that they had embarked very largely in the manufacture of watches, but they found that they were quite a drug upon the English and Continental markets, because they had not the English mark on them, but that if they could get the mark they could sell them readily enough. I suggested to him that supplying them with an English-made case with our own mark would be committing a fraud on my own part, because the case, I do happen to know, is looked upon by the consumer as covering the watch.

2293. Then you preferred losing an order to doing what you thought an improper thing?—Yes.

2294. Are you, as a watch-case maker, willing to be subject to a disability, that is to say, to have it made illegal or impossible for you by law to make a watch except for the English market?—I am quite willing myself to submit to it, and I believe the trade generally would be equally willing.

2295. On the ground that their reputation would suffer, or on what ground?—Yes; and that the reputation of the English watch trade does suffer by the present practice there is no doubt at all about.

2296. It suffers to an extent which makes it better worth your while to have one market shut out from you than to have an open market with that disadvantage?—Yes, that is my view of the matter.

2297. Has this subject created a good deal of attention in Coventry, and are you able to state what the view of other manufacturers is?—I come here as the representative of the other Coventry manufacturers. We have had meetings for the last 12 months respecting this matter continuously.

2298. Are you quite sure that that is their view on the matter?—Quite certain.

2299. Do you make gold-watch cases as well as silver?—Yes.

2300. Do you know whether the lower standards of gold watches have been much used?—Very little.

2301. They have a distinctive mark, have they not?—Yes.

2302. Which shows on the face of them that they are not 18-carat gold?—Yes; the lower standards are marked 15, 12, and 9 carats, as the case may be.

2303. But they are not much in vogue?—No.

2304. Do you think that if the mark had not been sufficiently distinctive they would have been much more in vogue?—No doubt of it. I may say that we, as manufacturers, have never made any of the lower standards, and have never been called upon to do so.

2305. The Bill as drawn prohibits the marking of foreign watch cases in England at all; do you think it necessary to go so far as that, or what do you think of another suggestion which has been made, namely, that they should be allowed to be marked as a guarantee of their quality, but that

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*Chairman*—continued.

there should be so distinctive a mark that nobody could possibly mistake them from those which had only the old English mark upon them?—My opinion and that of those whom I represent is, that they should not be admitted to our halls at all to be marked under any circumstances, but that if they were admitted then the mark should be of a very distinctive character, altogether different from our own. I may say with reference to the evidence which has already been given with respect to private marks, that I have brought specimens to-day from which I have taken out two of the hall-marks in each case, to show how easy it is for any mark of that sort or anything else to be removed from the case (*producing three watch cases and handing them to the Committee*). In two of those cases the hall-marks have been taken out altogether.

2306. Do you mean to say that the cases I hold in my hand have been hall-marked at one time?—Yes, they were hall-marked at six o'clock this morning, and the marks have been removed since then.

2307. And they have been through Goldsmiths' Hall in London?—Yes.

2308. And then to show this Committee how easily the marks can be taken out, you have taken them out?—Yes; the outer bottoms have had two marks removed, leaving three remaining.

*Mr. Talbot.*

2309. On one I see, "J. W.," with a star over it, and then I see something which I cannot read; and then "11," I think, and "6," underneath; are those the hall-marks?—No, they would not be the hall-marks; they represent, perhaps, the weight of the case.

2310. Then is the crown there, the hall-mark?—Yes, the crown is the hall-mark.

*Chairman.*

2311. We have heard a suggestion against this idea which you have been giving evidence upon, that it is merely protection; that your object is merely to prevent foreign competition; do you agree with that view?—We have no such object in view at all, and provided that the foreign article is sold in our market as a foreign article without our marks on it, we do not object to be overwhelmed with it, only we do not think that we ought to suffer damage from it.

2312. As I understand you, you do not desire to keep the foreign watches out of the market?—Certainly not.

2313. You are prepared to meet them in a fair market, and if they beat you, to be beaten?—Yes.

2314. You object to the foreign watches coming here with a mark, saying on the face of them that they are English watches?—Yes, that is our objection.

2315. And you think the better plan would be to stop them altogether?—Yes.

2316. And if that cannot be done you say, let the mark be so plain that anybody can understand it?—Something different altogether from our own hall-mark.

2317. You would not let it be a lion passant?—No, nor the crown; I would have the marks totally different. Supposing that they want a guarantee of the standard, what we object to is their availing themselves of the appearance of our nationality; but if they are to have a mark,

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*Mr. Walker.*

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Chairman—continued.

and are to be admitted to the hall at all, let it be of a distinctive character from our own.

2318. We have had evidence here to the effect that with regard to watch cases it might be desirable not to hall-mark them at all; what do you say to that in Coventry?—We are quite opposed to any voluntary system of hall-marking; for that system would be a system of voluntary swindle.

2319. Whatever disadvantage there may be in hall-marking, you would submit to it rather than lose the benefit resulting from it?—Exactly so.

2320. Your minds are made up about that?—We are quite clear upon that point.

2321. Mr. Prideaux, of the Goldsmiths' Company, said, that in his opinion, he thought that watch cases might be left to a voluntary hall-marking, optional with the vendor, his idea being that those who valued it would use it, and that those who did not care about it would not do so, and that it would leave the foreign and the British manufacturers on the same footing; but I understand you to say that you do not agree to that at all?—We do not agree to that at all; we go in for compulsory hall marking, as now.

2322. Only that it should be confined to British-made goods?—Yes; people might make up silver for instance at two-thirds the standard value, or they might perhaps make it less; I do not say that that could not be done so; that those who are cleverest in mixing up common metal would have the greatest advantage in the trade, but the public would have no protection at all; without the mark the public would not know what they were buying.

2323. Then it is suggested that the public should take care of themselves?—How can they; I cannot see how it is possible for them to take care of themselves.

2324. I think you do not come here to speak for the watchmakers, but only for the watch-case makers?—I would rather that my remarks were confined to the case trade, for I am thoroughly conversant with that, and have been so for 40 years, whereas I know very little about watch-making; perhaps not so much as some of you gentlemen round this table, by this time.

2325. We have heard it said that the Bill on the table does not go far enough, and that something more ought to be enacted to keep English movements out of foreign watch cases; perhaps you would rather say nothing about that?—I am quite willing to submit to the dictum that there should be no English cases made for foreign watches; but that is a part of the subject which other gentlemen who will be before you from Coventry will be able to speak to; and I would rather leave it to those who understand the matter better than I do myself.

2326. It seems to be the view of several honourable Members of the Committee that if *prima facie* a watch-case maker were to say, "I will make watch cases for anybody who will pay for them," he might do so?—I do not say so; I have instanced my own case, and I know another case of a manufacturer at Coventry who had the same gentleman come to him, and after he visited me, he refused on the same grounds that I did.

2327. On the ground that he did not think it a British thing to do?—Yes.

2328. And you think that therefore the repu-

Chairman—continued.

tation of your products would suffer if they went about with inferior works in them?—Yes.

2329. And under spurious conditions?—Yes. I may say that this negotiation between myself and the Elgin Company's gentlemen took place before any idea of this stopping of the marking of foreign cases was mooted at all; but I still hold to the same opinion.

2330. Can you tell the Committee about the size of the trade in Coventry; is it not the largest watch manufacturing city in the kingdom?—Yes; I think Coventry more than doubles London and Liverpool put together in the production of watches.

2331. Is that in cases or in watches?—In watches entirely; the completed watches.

2332. Do I understand you to say that there are more complete watches made in Coventry in a year than in London and Liverpool together?—Yes, that is my opinion.

2333. Have you got any figures to show that?—No.

2334. I am afraid it would not be easy to get figures, would it?—I do not see how one could get at it.

2335. Speaking roughly, could you approximately tell the Committee the number of watches, gold and silver, per year sent out from Coventry?—I am sure I could not. It is a very large number. I might to an approximate extent tell the number of people that I should consider would be engaged and dependent upon the trade. It would be something like 10,000, or a quarter of the inhabitants of Coventry.

2336. And it is a growing industry, is it not?—Yes; very much so.

2337. Then it has held its own against foreign competition up to this time?—Yes, and it is growing now; there is no doubt about it.

2338. And you are afraid of having it discredited by this which you call a fraud upon you?—Yes.

2339. The Americans complain that they cannot get their watch-cases hall-marked at home, and they have asked this Committee not to deprive them of the opportunity of having their standard assayed; have you any remark to make about that?—The American Government and the American people have it in their own hands to establish a hall, if they find it necessary. There is none I know at the present time; but I may say, of my own personal knowledge, that 30 years ago there were more cases made in America than there were made in Coventry; for a very great number of watches were exported from Coventry to the States, the movements only, without cases at all; and when the watch-making was at the height of its prosperity the case-makers had nothing to do, comparatively speaking; so that case-making is no new industry in America.

2340. But if anything be done in the way of hall-marking, you say that it ought to be so done as to show that it is American work?—Yes. Give them the stars and stripes, if they prefer it. They are very proud of them generally; and we are quite willing that they should have them if they like.

2341. Instead of the lion passant you would give them the spread eagle, and the stars and stripes?—Yes.

2342. You would not be satisfied with an F?—No; because the F could be taken out:

2343. An

*Chairman*—continued.

2343. An F is very like some of the marks of the maker's name, is it not?—Yes.

*Mr. Talbot.*

2344. How do you propose to prevent foreign makers bringing their watch-cases here to be marked?—The means of prevention is suggested in one of the clauses of the Bill, by signing a declaration in all cases where they are supposed to be of foreign manufacture.

2345. Do you think it would be practicable to oblige every one who brought a watch-case to be marked to sign a declaration that it was not a foreign-made case?—Yes, where it was suspected to be foreign work, and only where it was suspected.

2346. Do you think that that would not be resented by foreigners?—It might be resented by foreigners, but it would be a very easy matter for the trade in this country to prove whether the foreign makers had any staff in this country for making the cases, or not.

2347. Then you would not mind foreigners resenting it?—They would resent it so far as they were able, but I do not anticipate that it would affect us nationally.

2348. You think that the necessity for the protection of the British industry is so great that you would risk the ill feeling which that would create amongst foreign nations?—Yes.

*Mr. Courtney.*

2349. If I buy a gold watch case it is important to me that I should know whether it is gold or not?—Yes.

2350. Is it important to me that I should know whether it was made in Connecticut or in Coventry?—Not important at all to you.

2351. So that in the interests of the consumer it does not matter at all where it is made?—It does matter where the consumer is ignorant of the maker of the case of the watch. It is of no importance to you if you know the dealer that you are buying it of, but it is where the thing is a deception that it is important to those who do not know the origin of the case.

2352. Still is it important, even though the man is deceived, that he should know whether it was made in Coventry or Connecticut?—He would know this, that a Coventry or a London-made watch would last for a lifetime, whereas the other might last us seven or eight years; of course that would apply more particularly to the works than to the case; and our argument is that the case covers the watch and it is only for the hall-mark that they require it.

2353. You do not propose to prohibit the putting of foreign works in British cases?—I am quite willing to submit to that, although it is against my interest as a case maker perhaps to do so.

2354. What is the population of Coventry?—About 43,000, or from that to 45,000.

2355. Did I understand you to say that 10,000 hands are engaged in this trade?—Engaged and dependent upon it. There are a great many watchmakers who work at their own homes, and all the female members of the family work at it, which would materially increase the number engaged in that industry.

2356. If there are 10,000 people actually engaged in the industry, you would have something like 30,000, including women and children, would

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*Mr. Courtney*—continued.

you not?—I did not mean to say that; I meant those who work at it at their own private homes where men take the work out from the factory, and do it at their own homes; you may call them cottage workshops.

2357. Do you think that there are actually 10,000 men and women engaged in this business and receiving wages for it?—I should think so; and that is the opinion of the President of the Chamber of Commerce at Coventry, who has been to some trouble to get at statistics as regards that matter.

*Mr. Talbot.*

2358. Do you include in the 10,000 the children who are dependent upon those engaged in this trade?—No; I include the wives and daughters of those who work at their own homes and the apprentices; the number is approximately correct; if you were to include those dependent upon them it would be 15,000.

*Mr. Courtney.*

2359. They do not actually work and receive wages, do they?—Yes; I know two people in my immediate neighbourhood where in one case the three daughters, and in the other the wife, all work; and I daresay their production would be as much as the man's.

*Sir Joseph M<sup>c</sup>Kenna.*

2360. So far as the metal is concerned, it is unimportant to its value, is it not, whether the case be made in England or in America, if the standard be equal?—Quite unimportant as regards the intrinsic value of the metal.

2361. Then your only objection is to stamping with the English hall-mark a foreign-made watch case as likely to give a British character to the watch case and works?—Yes, that is undoubtedly the case.

2362. Do not you think that what you complain of would be fairly met if there were some obligation placed upon all those vendors of watch works to have the foreign mark upon them if they were foreign works?—Those works would be so readily removed that I think not.

2363. But if the vendors of watches here were obliged to distinguish by a proper mark those watches which were of foreign production, from those which were of home production, would not that meet the grievance that you anticipate?—It might meet it to some extent.

2364. But is not that the proper way of meeting it?—I think the proper way is to shut them out altogether from having them marked here. It is hardly worth while keeping up an establishment for marking foreign work.

2365. But at the same time those countries which deal with us on friendly terms would consider themselves very much aggrieved if they could not sell their goods here?—They cannot send them now legally. If the Swiss case makers were sending their goods to the Goldsmiths' Hall to be marked, they would not mark them; it can only be done by sending them through agents in this country.

2366. Then we lose so much duty by that of course?—There is no duty paid on watch cases.

2367. You mean that a Swiss manufacturer, as a Swiss, could not do that, for the Goldsmiths' Company now would not take his work?—No, they would not.

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2368. It

*Mr. Walker.*

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*Mr. Walker*

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*Sir Joseph M'Kenna*—continued.

2368. It is only by employing an English agent that he can do that?—Yes.

*Sir Patrick O'Brien.*

2369. You said that you were not a maker of gold watches but only a case maker?—Yes.

2370. Do you say that there is anything to prevent an English watchmaker introducing foreign works into your cases?—I cannot tell. Of course if I were to make up a quantity of cases, they would be useless to the trade because I could not make stock to sell for anybody unless I knew the sizes which he required to be made.

*Mr Freshfield.*

2371. I do not understand you to deny the wisdom, or the policy, or the convenience of having a stamp or other means of enabling the British public to become acquainted with the standard value of plate manufactured abroad?—That is a question which I would rather not be examined upon, for I know nothing about it.

2372. Then we will confine the question to foreign watch cases; you do not see any objection to their being stamped, by which the public may be informed of the value of the metal of which the watch cases are composed?—The foreigners all have their own stamps now, which are as good a guarantee of their value as our own.

2373. You do not question the policy of your having in England the means of ascertaining the metallic value of foreign watch cases?—I think that there should be the guarantee of the country where it is marked.

2374. But in America they have not a mark?—No.

2375. I want to know whether you believe that it is a convenience to the British public that there should be a means of ascertaining the standard value of the metal of which a foreign watch case is made?—I do not think it is a matter of any moment at all. Nobody, I think, would question the policy that the public should know what it is made of; but I think that should be for the foreigner to provide and not us.

2376. If they do not provide it, do not you think it a convenience that the British public should have such a guarantee?—Depend upon it if they had not it in this country, they would provide it at home as other foreign countries have done.

2377. Still you do not deny the value of the means of ascertaining the worth of the metal?—No, I do not deny that.

2378. Your objection is confined to the fact that the British mark implies misapprehension or even fraud?—Yes, we go as far as to say fraud.

*Mr. Thomson Hankey.*

2379. I understand that you have seen this proposed before?—Yes.

2380. And you approve of the clause which prohibits any English hall-marking by any English hall, if they have a reasonable suspicion that the article is of foreign make?—Yes.

2381. You would not apply that rule to any other article of silver, would you, except watch cases?—No; other articles are sold on their merits; there is no movement or anything of other value besides the metal in it, and the artistic work and the make up of the material. I think that might be very well left to the action of that clause.

*Mr. Thomson Hankey*—continued.

2382. This rule is solely for the purpose of protecting the buyer of watches and nothing else?—Yes.

2383. You do not admit that the hall-mark is merely a security as to the quantity of pure silver, but that it has other objects than that of giving the guarantee, or the supposed guarantee, that the works are made in England?—Yes, by usage, it has come to be looked upon as a guarantee of the manufacture of the whole article.

2384. If an Act of Parliament with that clause were passed, what should prevent any English watch-maker, or any English dealer from importing American watch cases, and sending them to be marked as their own property?—I would only allow English manufacturers to enter their marks at the different halls. There is in the Act the word "dealer," so that any one may enter his mark; I would restrict it, so that none but manufacturers should have their punches entered there.

2385. You wish to make the hall-marking much more restrictive, in fact, than it is now?—Yes.

2386. And you think that that would be advantageous generally to the trade of this country with respect to watches?—I think so.

2387. With regard to the Coventry trade, you say that it employs, according to your general rough estimate, as many as 10,000 hands?—I think so.

2388. Has not the trade been increasing then during the last 10 years?—Yes.

2389. Has it not doubled?—Yes; but these last two years, since the system of marking foreign watch cases has come in vogue, it has decreased considerably.

2390. There has been generally a decrease in almost all manufactured articles, has there not, in this country, to a great degree?—We allege that we suffer considerably more than the other industries of the country do through the action of hall-marking.

2391. Do you think it is just to prohibit any buyer in England from purchasing a watch of equality, because the case has been made in another country?—No, not if it was sold as having been made in another country; I should not object to it then.

2392. You wish, do you not, to impose upon the buyer the necessity of examining where the article has been made?—Yes.

*Mr. Muntz.*

2393. You are aware, I presume, that the hall-marking of gold and silver carries a test of the value of the gold and silver standard, and that it was not instituted for the purpose of watches particularly, but as a general law?—Yes.

2394. You were saying that you object, as an honest man, to make those cases, because those people for whom you might make them would put foreign works inside those cases?—Yes.

2395. And you said you would prevent that by some process which I do not quite understand; will you explain what your remedy was?—The process contained in the Bill that in any case where the authorities at the hall have doubts as to the nationality of works submitted to them for assay, they should require a declaration to be made that they were of British manufacture.

2396. You must know from your experience of 40 years in that trade, and the same with any great

*Mr. Muntz—continued.*

great trade in the world, that there are men who are not quite so honest as you are, and that they might make those cases without any hesitation, so as to allow foreign works to be put in?—They have been made; there is no doubt about that.

2397. And I am afraid that possibly you may know that there are men who would make a declaration that they were full of English works?—I do not think so.

2398. You think that there are no men so wicked as that?—I should think not.

2399. You do not think that if those gold and silver watch cases were assayed for the purpose of testing their value, and that were made voluntary, that would answer the purpose; that is to say, if you wish to sell your watch cases as standard gold, or standard silver, and you had the option of whether you would have this mark on them or not, you think that would not answer the purpose at all?—I think that the public would have no protection in unmarked goods.

2400. Would not the public ask for marked goods for their protection?—Marked goods, in my opinion, would be very largely used. I do not think anybody scarcely would avail themselves of the option of not marking; you might make it a law, but they would not avail themselves of it.

2401. You think that if marking were made voluntary, a large proportion of the trade, if not a very large proportion, would have their goods marked?—Yes; I should consider myself that we should keep on the same as usual.

2402-3. Do you think that any rational being who knew anything about marking, would buy a watch that was not marked under those circumstances?—He would not, if he knew how common metal would be made up, supposing there were no mark and no test.

2404. You said just now that you thought that voluntary marking would be voluntary swindling; will you explain why should it be voluntary swindling?—The man that was most clever in mixing up metal, and making solder that would attach those parts together, would turn out metal of a less value than a man who was not so clever; but with the mark we all start upon a fair footing; we begin upon an equal basis.

2405. But if a purchaser wanted that mark put upon it, he could easily ascertain whether it was the standard or not?—It would be broken up if it was found below the standard.

2406. You do not think that that would be a sufficient protection to the public?—No.

2407. You must be aware that in watches, like everything else, the great protection to the public is the character of the man from whom the customer purchases?—But in the case of people who are not largely enough engaged in the trade to have established their reputations, where would they go to, under the action of such a measure?

2408. Then they would get their cases stamped at the Assay Office as being of standard value, if they were a standard value; there is a very considerable number of foreign watch works brought into Coventry, is there not?—Not into Coventry, I think.

2409. Do not they put them into cases there sometimes?—I think not.

2410. On all foreign works as well as on 0.117.

*Mr. Muntz—continued.*

English works the name is stamped, is not it?—No, you can buy any quantity of movements of the Waltham and Elgin watches without any name at all. It is only works for sale in this country that they put no name upon.

2411. If they put another person's name on them, you are aware that that is a misdemeanour, for which a person might get two years' hard labour?—It is done nevertheless.

2412. We were told by a witness that foreign gold watches have metallic domes, though that was looked upon as an unfair thing, because of the stamp being upon the watch case, and the foreign dome being made merely of metal, a person would think that he was buying gold when he was buying only partially gold; you are aware of that, are you not?—Yes.

2413. Do you not think that as the foreign makers make those goods, the English makers should be allowed to make them?—We have no wish to be allowed to make metal domes.

2414. If any witness told us that it interfered with the trade because they could not make metal domes here, he talked nonsense?—He would, according to my ideas, and also of those whom I represent.

2415. How can any Coventry man compete in gold watches with foreigners who make metallic domes, when he can only make gold domes?—Because the more largely increased value is a protection when made. We do not object to foreigners having metal domes a bit.

2416. At what price do you think a useful gold watch could be made?—You can have them made at any price; from 16 l. to any amount to which you please to go.

2417. Are there not many gold watches made below 16 l.?—Yes, there are.

2418. What is the lowest you have heard of?—£. 7 or 8 l.; a lady's gold watch.

2419. Sometimes as low as 5 l., I should think?—I should think not.

2420. If I were to buy a watch for 5 l., do you think it would be gold?—I should say it would not be of English make.

2421. If a watch selling at 5 l. with a metallic dome had to be competed for by an English manufacturer who must put in a gold dome, which I suppose is worth a sovereign, he would be handicapped to the extent of 25 per cent. upon the article that he was trying to compete with?—We have no wish to keep down the foreigner in any shape or way; we only want to stand upon the distinctive merits of our own trade.

2422. You have to compete with the foreigner, have you not, in exporting to other countries?—Yes; but we have no wish to compete with metal domes.

2423. How can you compete with metal domes if they can get a watch made for a sovereign less than you can?—Pointing to the dome you would at once say to the purchaser that he has the worth of his money instead of brass.

2424. Can you tell me what is the advantage of a gold dome?—There is no advantage, only that the one metal has a value at all times, and the other is valueless.

2425. Then I am getting a sovereign more value in my pocket, and nobody knows it?—Yea.

2426. On that principle, might it not be worth as much to me as the best watch in Christendom, whether

*Mr. Walker.*

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*Mr. Walker.*22 July  
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whether it is gold or whether it is common metal?—By the same rule if the whole case was base metal it would answer your purpose as well.

2427. The gold case does not make the watch any better, does it?—No.

2428. People like a gold case because it looks better?—Yes, and it is of more intrinsic value in the metal.

2429. Have you any idea what proportion of the watch trade of the world is in Coventry?—I could give you no answer at all to that question.

2430. Do you think that they make as many watches in Coventry as they do in Geneva?—I should think not.

2431. Why do you think they make so many in Geneva?—Because they make them and sell them at such a price that we never attempt to make them at.

2432. Then the price is the thing that gives them the advantage?—Yes.

2433. Twenty-five per cent. upon a silver watch must make a material difference in the price, must it not?—It would make a difference no doubt.

2434. And that you cannot compete with?—No.

*Mr. Torr.*

2435. Are there no watches made in England with metal domes?—We are bound by law not to make them.

2436. Do you think that there are none surreptitiously made?—I never saw one English made with a metal dome.

2437. I think you are strongly in favour of continuing compulsory hall marking, because you think that it secures the honest trader, and protects the buyer from fraud?—Yes.

*Mr. Bates.*

2438. I think your great complaint is that a foreign watch case is allowed to be marked in England with the same mark as the marks on English-made watch cases?—Yes.

2439. And you think that that is wrong?—Yes.

2440. Supposing that a punch was made with the hall mark, and also that the same punch had a distinctive mark showing that it was foreign, how would that answer?—It could be taken out.

2441. Supposing you had a punch, we will say one-eighth of an inch, and in that one-eighth of an inch you had not only the English mark, but you had a foreign mark, say in the centre, or say that you had two English marks, and in the centre of them you had the foreign mark, how could you take that out without taking out the hall mark?—You could not take it out without taking out the hall mark.

2442. Would not that answer your purpose?—I should think not.

2443. Supposing you could not get the other thing with it?—Then we must put up with what we could get.

2444. Do not you think that that would answer your purpose?—No, I think not. If it has to be marked at all, it should be a distinctive mark altogether; and then I do not think they would trouble you with hall marking. It is only to copy us that they have to mark at all.

2445. You object also to those foreign watch

*Mr. Bates—continued.*

cases having the English hall mark, because you think it deceives the public, and makes them believe that the works in the case are English?—Yes.

2446. You would have no objection to foreign watches being imported, if they were marked as foreign watches?—Not the slightest.

2447. Then you are a freetrader?—Yes, I have been so all my life, and hope to die so.

2448. You are a freetrader in everything except watch cases?—I do not want any protection in watch cases.

2449. You say that you think there are no works imported into Coventry in the rough?—I think not.

2450. Not imported in the rough, and finished in Coventry?—I should think not.

2451. You were asked about a man putting his name on the works; supposing those works were imported in the rough, and polished and finished by English workmen, do you think there would be any great harm then in the Englishman putting his name on those works?—No, not if the thing was worked up in this country. A man having the rough work, and making it up, I do not think would interfere with the nationality.

2452. Taking the rough stock, and finishing it afterwards in the English shop, there would be no objection to?—No objection I should think.

2453. You have shown us how readily the stamps on those watch cases that you have brought could be removed; do you think that the stamps are very often removed for any purpose?—They might be. I have only brought those to show to you how easily it might be done. Those were entire at six o'clock this morning, and I have had this done since.

2454. Do you think that if the case were marked by the hall of the value of 9 carats or 12 carats, you could easily remove the 9 or the 12, and put 18 in place of it?—No; it would be forging the hall mark at once if you did that.

2455. Of course it is a forgery, but do you think it could be easily done?—I think it could. I have never heard of a case in all my experience of the trade of the hall mark being forged in this country.

2456. Have you never heard of a case of the hall mark being forged or altered in any way?—No.

2457. Or of the transfer of the mark from one piece of plate to another?—I have heard of its being transferred, but it is only from report. I know of nothing from my own personal knowledge.

2458. But practically, do you think that it could be done?—I think that the marks might be removed from such things as spoons that are of a considerable substance, and put on others, but in watch cases you could not take the marks away and insert them in other cases.

2459. Could you remove the gold mark of 9 carats and put 18 in place of it?—No.

2460. Would that be impossible?—I should think it would be impossible without detection.

2461. Then it is not so easy to remove the marks?—It is easy enough to remove them, but to substitute others in their place would be the difficulty.

2462. You said that formerly a great many watch movements went to America and were put into



*Mr. Bates—continued.*

into American cases; when did the tide turn and the American works begin to come to England, instead of our works going to America?—I should think from 10 to 15 years ago.

2463. And now the tide is so completely turned that English works do not go to America, except in very small quantities?—We are kept out by a prohibitive tariff of about 30 per cent., I think.

2464. Supposing it were not affected by a prohibitive tariff; supposing the tariff were as it was before the war, could you send English watches there now?—We could successfully compete with the Americans, there is not a doubt about it, in their own market with our English works, if we were upon fair and equal terms with them.

2465. Both in the case of silver and gold watches?—Yes.

*Chairman.*

2466. Do you compete with them in the Colonies; for instance, in Australia, where you are upon equal terms?—Yes, I think so.

*Mr. Whitwell.*

2467. So that, in fact, people would be sending their cases to be marked here, in order to get an advantage by getting the British endorsement upon their bills, so to speak?—Just so.

2468. Where do you get your cases marked?—Chiefly in London; some in Chester.

2469. Do not you send any to Sheffield?—No.

2470. Is not Sheffield near to you?—Yes; and Birmingham is within 18 miles of us.

2471. Why do not you send them to Birmingham?—From the simple fact, that the reputation of Birmingham plate got so bad 30 years ago, that I was obliged to send to London. I had to undergo a prosecution for doing it, when it was illegal to do it.

2472. Then you are like the Americans, for you want to get the hall mark put upon your goods, although they are not made in London?—It was done because we could not sell our goods at all with the Birmingham mark upon them. There is no secret about it.

2473. But still, as a matter of preference, although the hall mark is as valid in the one case as in the other, you prefer sending your goods to London that they may be hall marked?—Yes.

2474. I observe that in each of those cases there is "J. W."; what does "J. W." signify?—"James Walker."

2475. So that although you do get them hall marked in London, you retain your own autograph upon the cases?—Yes.

2476. So that every person who buys them may know that you have made them?—Yes.

2477. May I ask if it is a pretty well-known mark?—Yes.

2478. Do you sell to many watchmakers out of Coventry, or do you principally supply the Coventry trade?—Entirely the Coventry trade.

2479. And not to the London makers?—No.

2480. Then, in fact, if you sold your cases to an American, you would anger your customers by giving to the American the advantage of your name as well as the English hall mark?—I do not think so for a moment; I do not think that

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*Mr. Whitwell—continued.*

the manufacturers of Coventry would care a bit about it; they would not take any umbrage.

2481. Then your objection to selling to the American was simply an idea that you would be encouraging him to commit a fraud upon the British trader?—Yes.

2482. Do most of the Coventry case makers send their cases to London to be marked?—Yes.

*Mr. Puleston.*

2483. You were asked about sending your cases to Birmingham; you have no hall at Coventry, have you?—No.

2484. Therefore, I suppose, you fancy that you have a perfect right to send them where you like?—I imagine that we have a perfect right to send them where we choose.

2485. Supposing you had a hall in Coventry, you would send them there to be marked?—We should if it was all one universal mark, which I contend is the proper principle.

2486. If you had a hall in Coventry you would send your cases to be marked there, would you?—Yes, if a universal mark for England were adopted.

2487. But not having a hall there, you think you have a right to send them where you like in England?—Yes.

*Mr. Muntz.*

2488. Are you aware with reference to the Birmingham hall mark the quantity of plate marked there is the largest in England, next to London?—I know nothing about it; I have sent no work to Birmingham to be marked for 30 years.

2489. Can you tell us why it got a bad name?—I cannot tell you why; all I know is that at that time when I made cases, it was no use my offering them to the Coventry manufacturers with the Birmingham mark on them.

2490. It was regarded as what they call Brummagem ware?—Yes; put it how you will, it is a fact.

*Mr. Puleston.*

2491. Is it not a fact that American watches are sold here as American watches?—Some of them.

2492. When you referred to them in your evidence just now, you only referred to those which were not sold as American watches?—Yes; they are sold both ways, but you may have them with or without any name at all.

2493. We have had it in evidence from one of the principal watch manufacturers that although he gets his cases hall marked here, all his watches are sold as American watches, the watches of the Waltham Company?—That is not correct.

2494. All of them are not sold as American; you only refer to those that are not sold as American watches?—Yes.

2495. If an American watchmaker applied to you for cases, and had them hall marked as they are done here, provided that he sold them afterwards as American watches, and you knew it was a fact, would you still object to the making cases for him?—Yes, I should.

*Sir Joseph M'Kenna.*

2496. The American watchmaker who was examined here was Mr. Bedford; he did admit that watches were sold by his company that were not marked, so that they could be distinguished

*Mr. Walker.*

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Sir Joseph M'Kenna—continued.

as American watches, but do you see any objection to his purchasing from a watch-case maker here a properly made English watch case and putting in it his own watch works, if he marked his own watch works as foreign works?—The objection would be partly removed, but the practice is to sell them as English works.

2497. I agree that occasionally they are sold as English works; but is it not a fact that in order to guard against foreign works being fraudulently passed off as English works, you object to giving the foreigner the right to have his cases hall marked in this country when they are of the properly standard metal?—That is my object.

Chairman.

2498. You were asked by the honourable Member for Birmingham about the probability of certain fraudulent people making a false declaration; I understand that what the Coventry people would be satisfied with would be to have the law altered as we propose, and you would trust to the efficacy of the law when it was so altered?—Yes.

2499. Do you think that the Goldsmiths' Company ought to be required to prosecute?—Yes; where a prosecution has to take place, I think they should be the prosecutors.

2500. You think that they should be under an obligation to the prosecutors in proper cases?—Yes.

2501. Do I understand you to say that you would do away with the country hall marks, or that you would require the country hall-marking authorities to be under some central control, so that there should be a uniformity of standard everywhere?—Yes.

2502. Do you think that the Mint ought to supervise that, or would you be content with the London Office?—The Goldsmiths' Hall would be quite sufficient guarantee, I think.

2503. You think that the Goldsmiths' Hall should have given to it the right and the obligation to supervise the country halls?—Yes, I think so.

2504. And you think that would be an advantage?—Yes, I think it would.

2505. Do not you know that now the country halls have to make returns to the Mint of the assays that are made there?—I believe they have annually to send up what they call their diet that they scrape off the plate.

2506. But you do not think that that is sufficient supervision?—I do not think it is.

2507. You do not give Birmingham a bad character now, do you?—No, I am only speaking of 30 years ago, when I used to be compelled to mark there; and I got out of the habit of sending them to Birmingham, because I could not sell the goods when made.

2508. It is no more difficult to send the goods to London than to Birmingham?—No.

2509. Have you any order of merit in the trade with respect to the different country halls?—No, I think not.

Mr. Talbot.

2510. I think I heard you say that you used Chester in addition to London?—Yes, we send to Chester sometimes.

2511. Then you consider the Chester Hall a good one?—Yes, but we send them according to the manufacturers' orders. When ordering cases they will say, "Make me so many cases Chester or London Hall," and we send them. There is no option in the matter; it lies with the watch manufacturer who orders the particular hall at which the cases are to be marked.

Chairman.

2512. The purchaser of the cases from you sends you an order to make the cases up to the standard of the particular hall which he names?—Yes.

Mr. Talbot.

2513. Some persons prefer one hall and some another?—Yes.

Mr. Muntz.

2514. You do not mean to say that there is really a difference in the standard in any of them?—No, not in any degree.

2515. Then it is merely silly prejudice?—Local makers have their preferences.

Mr. Puleston.

2516. Does the prejudice as to Birmingham exist now as it did before?—I do not think it does; but I have never used Birmingham for 30 years.

Mr. Talbot.

2517. I understand that you would wish to retain all the existing halls?—Yes, I have no objection to the halls. I advocate a universal mark simply to prevent confusion.

2518. You use Chester next to London, do not you; that is to say, next to the number of watches that you send to London, you send to Chester?—Yes; we use no other hall unless an Irish customer were to order the cases to be marked in Dublin, which occurs sometimes, and then we send to the Dublin hall.

2519. But the bulk of your business is hall marked either in London or Chester?—Yes.

2520. Could you give the proportion between the two?—Where one dozen is marked at Chester, there would be a gross marked in London.

Chairman.

2521. You are of opinion that it is right to continue the existing halls; but you would do away with separate and distinct marks, and have it all one mark?—Yes.

2522. That is to say, you would not have the wheatsheaf in some cases, and the leopard's or lion's head on others, but you would have one mark for all the country?—Yes.

2523. Mr. Prideaux suggested a standard of 20 carats, or something between 22 and 18; have you ever thought whether that would be desirable?—I do not think it would be desirable at all; there is the 22-carat now.

2524. And there is a 20-carat in Ireland?—Yes; but I do not think, as a trader, that 20 carats would be any advantage to us.

Mr. ARTHUR BENJAMIN GUINNESS ROGERS, called in; and Examined.

*Chairman.*

2525. You come here to speak for the watch-case makers of Liverpool, do you not?—I do.

2526. Are you yourself a watch case maker —Yes, I am a watch case manufacturer in Liverpool.

2527. Is it a large industry in Liverpool?—It is a decreasing industry in Liverpool; but it has been very large. The manufacture, I may tell the Committee, has been gradually concentrating a great deal in Coventry of late years.

2528. Coventry has been beating you?—Exactly so.

2529. Have you made yourself acquainted with the feeling amongst the trade in Liverpool with reference to this agitation against hall-marking foreign watch cases?—Yes.

2530. What is the feeling of the trade in Liverpool?—The feeling is that foreigners ought not to have it at all, and that it is a fraud upon the public generally.

2531. Have you any reasons which you would wish to give, or arguments in support of that view?—There has been a great deal spoken before the Committee about respectable men who sell watches, but there are a great many men who are not respectable who sell watches; men who go about the country taking weekly payments for watches, and calling them nothing else but English manufacture when they are not.

2532. Mr. Walker, who is a case maker, told us that he would rather not be able to sell an English case if it were to be fitted with foreign works, than to be allowed to make it; do you agree with him?—I quite agree with him.

2533. Are you willing to be subjected to such a fetter on your trade as that?—I am.

2534. Why is that?—I consider that the only reason that those cases are made for foreign movements is simply to commit a fraud upon the British public.

2535. Your idea is that if they wanted anything to show that it was of standard value, they would get it stamped elsewhere?—Decidedly.

2536. What they want is the British hall mark to make people believe that it is a British watch?—Yes, Swiss watches of all kinds and descriptions have been sold in this country for years past as Swiss watches, and a large trade is done in them in this country, and we do not object to that at all.

2537. What you do object to is the Swiss watches being sold as English watches?—We do.

2538. Is that done extensively?—It is very extensive.

2539. Has it been done long?—It has not been done long; it is a new thing to that extent.

2540. Until this new custom began, what would you say was the idea conveyed by seeing the British hall mark on a watch case?—That the watch was of English manufacture.

2541. It was taken as *prima facie* proof that it was of English manufacture?—Decidedly so.

2542. Then the bringing in of this new custom renders that no longer a satisfactory proof?—Certainly.

2543. It of course destroys the value of the hall mark in the case of those who have a right to use it?—It is destroying the value of the English hall mark on the watch.

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*Chairman—continued.*

2544. Are you satisfied yourself with the Bill which is proposed to be passed?—I am satisfied, if I might speak individually, as a case maker; but if I may go so far as to speak of the benefit of the trade and the public at large, I must say I am not satisfied with the Bill as it is. I want it to go further.

2545. To what extent?—To the extent that I would not allow any foreign movements to be put into English cases at all. Although I am a case maker I do not consider that the Bill would do away with fraud altogether.

2546. Do not you see that that would injure your own trade?—I am not particular about that at all if it injured my trade, but I do not consider that it will.

2547. Because you suffer in reputation from having those works put into English cases?—Whichever way we get the trade taken away from the English people by fraud, we should have some redress for it.

2548. What would you put in the Bill?—I should prohibit any foreign movements being put into an English case.

2549. By prohibiting any person from selling a hall-marked watch, if it contained foreign works?—Yes.

2550. You are not afraid of the consequences of that to your trade?—Not at all.

2551. Do you think it would be just?—Decidedly just. I think it is most unjust as it is now; there is no justice in it.

2552. Speaking for the Liverpool trade, are they of your opinion?—They are.

2553. Are you sure of that?—I am certain of it.

2554. Are you a freetrader?—I am.

*Mr. Bates.*

2555. Supposing foreign watch cases had no English hall mark, you would not object to have those watches filled with foreign works, and sold as they are?—Certainly not, as long as they have no English movement in them.

2556. In fact, you object merely to a foreign case being marked in the same way as your English cases are marked?—Certainly.

2557. And by that means making the public believe that they are buying an English watch; they are buying an English case apparently, but in reality it is only a foreign case, and a foreign watch entirely?—Certainly.

*Mr. Torr.*

2558. Your objection is that the English hall mark not only affects the case, but the whole of the watch?—Decidedly.

2559. And also gives the stamp of English manufacture throughout to the case and the works?—I consider that the English mark upon the case makes the watch into an English watch, and that it is sold afterwards as such.

2560. But you would not object to the hall mark, if it was made distinctive when put on a foreign watch?—I object to it altogether, because they can take out any distinctive mark that you put in.

2561. Then you would not allow foreign watches to be marked in England in a way to test the purity of the metal?—Certainly not;

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*Mr. Rogers.*

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Mr. Torr—continued.

not even as a distinctive mark, because as I say, they can take the mark out. I produce three silver watch case bottoms (*producing the same*).

Mr. Muntz.

2562. You are aware that the hall marking was adopted as a test of the standard of value?—It was.

2563. It had nothing to do with the watch itself?—It had to do with the watches, because the watch-case makers were subject to a penalty if they made a case without the mark upon it, and the watch dealers were also subject to a penalty if they sold an English watch without the mark upon the case.

2564. If any of the public professed to sell gold and silver without the assay mark in it, he was liable to a penalty?—Yes, and yet at the same time people were allowed to sell a Swiss watch without a mark; therefore that made it a trade mark for the English watch, because the Swiss watch was allowed to be sold by a jeweller without any mark whatever.

2565. Do not you think that the difficulty might be met by allowing the mark to be a voluntary mark?—I think it is only opening a new system of fraud to have voluntary marking at all.

2566. Do you believe it possible to invent any law that could be made practicable in the way you suggest?—Decidedly, if you make a penalty for it.

2567. There are a good many penalties made which I think are not recovered in every case?—That may be; there are a great many good laws, but people do not always act up to them.

2568. Laws against pocket-picking, for instance?—Yes; but people do pick pockets.

2569. Do not you think that in the case of a watch, if this law which you fancy were actually enacted, it would be evaded?—I think it would not, no more than the law that is in force at the present time where an English case maker is not allowed to make a case without a mark in it. We have never known a case of an English watch-case maker doing it.

2570. You said just now that you were a free-trader. I do not know what that had to do with the evidence; but I should ask you, as a free-trader, does not it seem very strange to you that a party may not be allowed to import one article and add something else to it?—I do not consider it is free trade at all to allow goods to come in here without paying any duty, and then to put our English hall-mark on them so that they can be sold, not as Swiss goods, but as English goods. I do not think it is free trade to allow an article of foreign manufacture to come here duty free to sell it as an article of English manufacture.

2571. Supposing you were to import Swiss works, and put them into a gold case, and upon this case there was the name of one of the Swiss manufacturers, why should anyone suppose that the hall mark was anything more than the mark of the gold?—I think that we ought to keep it distinct for the English trade. It was intended as a distinct mark; and not only that, but no foreigner, unless he employs an agent in this kingdom, can have his cases marked in this kingdom. It was intended merely for English cases and English watches; and if a foreigner's

Mr. Muntz—continued.

name is on it, his name ought to be sufficient to carry it, and to say that the works are right. Besides they have marks of their own abroad in some countries.

2572. Do not you think that a person might be justified in making perfectly good watches, and bringing them to this country, and having the assay mark upon them to prove the standard value?—I certainly think they ought not, because this is simply done to make them appear of British manufacture. The trade is gone from us for a great many years; thousands and millions of French and Geneva watches have been sold without a mark upon them at all.

2573. How long is it since those millions that you talk of were allowed to come into this country?—They have been allowed to come in for a great many years. There has been an enormous quantity of watches come into this country, although, perhaps, I have gone a little beyond the proper extent in saying millions.

2574. Then you object to a foreign article being imported, and being marked as a test of its value, and then something added to it; that is to say, you object to a foreigner introducing his goods into this country under the system of free trade which at present we either enjoy or labour under, as you may think, and that he should be allowed to have the test of the hall mark to prove the value of the gold or the silver?—But he does not want a test, he simply wants to commit a fraud, and retail his goods as English works, and as English manufactured goods.

2575. Do you think that every foreigner who applies to have any article of gold or silver tested wishes to commit a fraud?—He wishes to sell them in this market, because he cannot sell them unless he has this mark. He can only sell them as foreign watches; he cannot sell them as English watches.

2576. You have been in the watch trade yourself many years, and you probably know something of Swiss watches; will you tell me whether I cannot buy quite as good a watch, or a better watch, in Switzerland than here?—I am not disputing about the value of Swiss watches; there are a good many good Swiss watches; but it is the bad Swiss watches that we complain particularly about; it is the rubbish that they send over, and put into English marked cases, and sell as good watches. If all the works that they put into those cases were first-class works we should not object to them.

2577. Is all the work made in Coventry and Liverpool first-class work?—There is a very different class of work made in the two places.

2578. Are you not aware that there is very often rubbish made in Coventry and Liverpool?—There have been capital watches made in Coventry, I may tell you from my own knowledge, for although I am not a Coventry man, I have known Coventry a great many years, that Coventry has improved in the manufacture of watches to so large an extent that Coventry has taken nearly all the trade, because they are making such good watches there now.

2579. But supposing the best watches are made there, is there not in every trade always a lower class of people who make an inferior quality of goods, whether in Switzerland, or Coventry, or Liverpool, or anywhere?—I do not deny that at all; but that is no reason why we should allow foreigners to bring their rubbish here, and put  
our

*Mr. Muntz—continued.*

our mark upon them, and palm them off as good watches. We may make some inferior articles, but we should not allow the foreigner to injure us.

2580. Then it is not a question of English or foreign; it is on account of the hall mark that you think the purchaser likes to have the mark instead of the name on the watch?—I think he likes the mark and not the name on the watch.

2581. When you go to buy anything do not you go and examine it, and rely upon the reputation of the firm rather than upon any particular mark on it?—If I know that it should have a certain stamp on it I look for that stamp.

2582. If you were going to buy a diamond ring for any one of your family, would you go to a third class jeweller or to a first class man?—That is not a parallel case; you can have no mark upon a diamond ring, but you have the mark upon a watch.

2583. You have no doubt, have you, that respectable watchmakers sell English marked cases with foreign works in them?—I have no doubt they do.

2584. Then do you think such a man respectable?—He appears a respectable man.

*Mr. Torr.*

2585. You mean to say, that whatever mark they attach, the article is increased in value by the addition of the English hall mark?—Decidedly.

2586. And commands a higher price?—Such goods command a better price whether they are of low value or of high value; that is what I object to.

2587. And they come in close competition with what you make?—Yes.

2588. You may make low-priced articles, and you may make high-priced articles, but you represent fairly what they are?—Yes.

2589. But those foreigners with our stamp on their watches get an additional value for that stamp being put upon the cases that are imported?—They not only get an additional value, but they sell watches where they never would sell them otherwise. Those watches are sold as a fraud to people as of English manufacture.

*Mr. Thomson Hankey.*

2590. I think you expressed a wish to try and prevent the sale of watches by itinerant dealers who sell Swiss watches as English watches?—Yes.

2591. Do you think that there is anything in this Bill which would have that effect?—I say that the Bill does not go far enough to prevent it.

2592. You think that the clause in the proposed Bill prohibiting the hall marking of watch cases of foreign manufacture would have that effect?—It would have a partial effect, but it does not go far enough.

2593. In fact, you would not approve of such a Bill as this at all?—I would not approve of it for the benefit of the public.

2594. You think that this Bill, if carried into law, would have no beneficial effect for the public?—It would not give the benefit to the public that we wish to give them.

2595. It would not produce the benefit that this Bill professes to do?—According to my opinion it does not go far enough.

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*Mr. Torr.*

2596. Would you rather have this Bill than no Bill?—I do not see that this Bill would be any good. I take it that we should prefer no Bill to a Bill that would not do any good; but the Bill is everything that we want if but one clause were added to it.

*Mr. Thomson Hankey.*

2597. Would you tell us what that clause would be?—The clause would be to prevent foreign manufactured movements being put into English cases.

2598. You think that possible, do you, by an Act of Parliament?—Yes.

2599. I understood you to say that your objection was to the sale of rubbish; but I presume that you do not object to the sale of Swiss watches in England if they are good?—But you cannot have the one unless you have the other; you cannot put out the bad ones unless you put out the good ones; it is the bad ones we want out. There are a large number of good ones which do not have the English mark at all; they sell them upon their merits.

2600. With all those objections would not it be much better to do away with hall-marking altogether?—Certainly not.

2601. It appears from your statement that, at the present moment, it interferes with your trade, as compared with the foreign trade, because you state that a foreigner can have his watch cases marked at the hall, and that enables him to sell those goods as English goods; and you think that is wrong?—I say it is wrong; it is a fraud.

2602. Would not doing away with hall-marking altogether get rid of this?—No; you would have much more fraud, because they would produce all sorts of stuff. You could never depend upon any metal at all then.

2603. When you call them rubbish, it is the watch itself and not the case, to which you apply the term "rubbish"?—I am not saying that it is the case that is rubbish.

2604. Then you wish, by some Act of Parliament, to enact that rubbish shall not be sold as good watches?—Certainly, that a rubbishy foreign watch shall not be sold as an English watch. Let it be sold for what it is; they have no occasion to make it, and they will soon find that out.

*Sir Patrick O'Brien.*

2605. I understand you to say that you are anxious that foreign watches should not have the hall mark upon them; is it not desirable that foreign watches, when they are rubbish, should be prevented from being sold as British manufacture?—Yes, certainly.

2606. May I ask you whether that evidence would not apply to rubbish which, as you say, is occasionally made in Liverpool and elsewhere, and which when it gets the hall mark upon it is sold as a good respectable British watch?—I did not say that there was a quantity of rubbish made there; I said that inferior watches were made. There are first class watches made, and there are different qualities of watches made in this country.

2607. You object to foreign watches of an indifferent character being introduced here and placed in a hall-marked case, for the reason that the British public are defrauded by thinking that they buy a good English watch?—Yes, decidedly.

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2608. Then

*Mr. Rogers.*

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Sir Patrick O'Brien—continued.

2608. Then would not the same objection apply to indifferent works made in England and placed in a British hall-marked watch case, and being sold as a good British watch?—There are no such watches made in England; they are made abroad. There are watches imported into this country and sold for 8 s. and 9 s. a-piece; there is nothing in them at all; they are not watches; they may call them watches, but they are not watches.

2609. Are there not watches sold in England, wholesale price, that would not be worth more than 2 l. a watch?—Within a few shillings.

2610. If an English watch maker were to place a 2 l. watch in a pretty English case with the hall mark upon it, and sold it as a British watch, would it not be a fraud upon the customer?—No, because he can take it back to the watch-maker to have it made correct.

2611. Would it not be defrauding him to the same extent as the foreigner does, barring the difference between the 2 l. and the 9 s.?—You would not be treating him well to give him a watch of that character.

2612. I am asking whether you would not be liable to the same fraud where English work is employed as you would with foreign work?—If you get bad English work you would.

2613. Then am I right in saying that foreign works are, not altogether, but very often, mixed with English works by English makers who sell them as English watches?—I am not a watch manufacturer.

2614. Then it does not come within your knowledge?—I am not a watch manufacturer; and I could not explain it perhaps as you would like. There are watch manufacturers present who could do so better than I could.

2615. Do not you think it is a very unfair thing to a British maker of watch cases to say that he shall be weighted in the competitive race by being obliged to have a gold dome in every gold case?—We do not. We prefer to turn out a genuine article.

2616. Although there is a difference of 1 l. 5 s. or 30 s., as compared with the foreign watch?—Yes, decidedly.

Sir Joseph M<sup>c</sup>Kenna.

2617. I want to know from you whether, if we got over that difficulty by simply removing the distinctive mark of the foreigner and tested the watch case, you would see any objection to marking according to their standard of value the foreign watch cases that are presented at Goldsmiths' Hall to be marked?—I do see an objection, for I do not see why foreign goods should be made to be sold as English goods, or have any English work at all put upon them.

2618. The reasons that you urge against that were by showing how easily the distinctive mark could be removed and the genuine mark alone allowed to remain; but supposing that Goldsmiths' Hall here gave only one mark, and that the removal of that mark would not leave the genuine British mark behind, do you still persist in your objection to hall marking as to the standard of value which would be placed upon the article at Goldsmiths' Hall?—I object to it because, as I believe, the Goldsmiths' Company could not do it; I do not think that the case which you put is possible.

2619. Supposing it should be published abroad that the Goldsmiths' Hall mark for foreign

Sir Joseph M<sup>c</sup>Kenna—continued.

watches of standard value shall be a horse's head and nothing else, of course you could remove that horse's head (just as you could cut out the leopard's head), so as to show the bare standard of value?—But the other portion of the mark would be left in.

2620. Supposing we agree that all foreign manufacturers' watch cases shall be admitted to have this hall mark at Goldsmiths' Hall to prove the standard of value and no more, and that the mark which they shall receive at Goldsmiths' Hall shall be a horse's head and nothing else, at any rate nothing else that is recognised as the English mark, could you remove that distinctive foreign assay mark which we give in Goldsmiths' Hall here, and substitute that which would enable the work to be mistaken for English work?—If you put a horse's head upon a case and nothing else, nobody could object to that.

Mr. Campbell-Bannerman.

2621. You consider that the hall mark has a value beyond the mere indication of the quality of the metal?—Decidedly.

2622. You directed the attention of the Committee to the case of a man going about selling watches amongst ignorant people, and receiving weekly payments for them, and you said that those were the class of people who were largely deceived in this way?—Yes, I believe that is the class of people, so far as my knowledge goes.

2623. If they are ignorant people, how comes it that they understand the value of the hall mark?—Because their mates have got watches with the mark upon them, and one shows another.

2624. And they think that no watch is good that has not that mark?—Decidedly so.

2625. So that it is this artificial, or at least secondary meaning of the hall mark, which causes the whole difficulty?—It causes the whole difficulty, because the mark has always been considered as only being put to articles of British manufacture, and wherever a watch has gone with the English mark on it, it has been considered of English manufacture, more especially abroad as well as at home; and the case is still harder with watches that go abroad, because they can send cases over here and get them marked, and they then go back to Switzerland and they put English names on them, and they go straight away then to the countries that they are for, and they are bought as genuine English watches, made by the makers whose names are on them, whereas it is a forgery all through.

2626. But whatever may be the opinion entertained by the public, the real meaning of the hall mark is, after all, merely that the case is up to a certain standard of value in the metal?—It would appear so, and yet, at the same time, it appears different, because when they passed this law no foreigner was allowed, as he is allowed at the present time, to have his mark registered in England; and therefore that shows that they had another object in view besides testing them et al.

2627. And you think that it should be a test in the mind of the public of the value of the works in the watch as well as of the case?—Yes, the case covers the works.

2628. You think that our hall-mark ought to accurately represent the nature of the watch upon which it is placed?—Decidedly.

2629. On that ground I presume you would object

Mr. Campbell-Bannerman—continued.

object to the practice of a watch seller putting his name upon a watch with foreign movements in it?—I decidedly would.

2630. That is largely done, is it not?—It is done. It must be done, because that is a portion of the fraud which is committed on the public.

2631. And that you call fraud?—Yes, I consider it fraud.

2632. Supposing a watchmaker in London puts his name upon Swiss works, do you consider that although not an intentional yet a practical fraud?—I do not say that the name would be intended as a fraud unless he should make a die or put something on it to denote that it was not made abroad.

2633. But are there any watch sellers who make their own watch works?—Yes.

2634. Are there not a great many who do not?—There are many who do not.

2635. So that after all it cannot be taken as meaning that he has made all the contents of the watch upon which his name is put?—It must be taken by the public generally to mean that, because the public generally know that there are three towns in the kingdom where watches really are made: London, Coventry, and Liverpool.

2636. So that if Smith & Co., of Piccadilly (if there is such a firm), put their name upon a watch, the works may have come from Coventry or Birmingham, or anywhere else, but it may be a perfectly *bona fide* transaction?—Yes.

2637. If you attach so much importance to the accuracy of marks, do you regard with perfect equanimity the practice of a Coventry case maker, who gets the Chester mark put upon his case, or perhaps the Dublin mark; would not that imply to the purchaser that it was made in Dublin?—It would imply to the purchaser that the case was marked in Dublin, not that the case was made there. I myself individually mark both at London and at Chester, because orders come in for the London mark as well as for the Chester mark. I do the same thing as the witness who preceded me, Mr. Walker.

2638. But supposing there was a particular value attached to Irish works, if the watch case was marked in Dublin, the purchaser might be taken in by believing that he was getting Irish manufacture, might he not?—He might.

2639. Do you recognise any great difference between that and a Swiss manufacturer getting the English stamp put upon his case?—The Irish people who do it get the cases made in England, and make their watches in Dublin.

2640. But the stamp really is, and merely professes to be an indication of the quality of the metal?—And of the place where it is marked.

2641. The distinctive mark of the place refers you to the place where the testing took place?—Yes; for instance, we are casemakers in Liverpool; we are like Coventry; we have no place there for marking, and we must send our goods to Chester or somewhere else.

2642. Are you supposed to be in the district of Chester?—Yes.

2643. If you send them out of your own district, it must be for one particular object?—We send them because we are ordered to send them to London. We work for any town in the kingdom.

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Mr. Campbell-Bannerman—continued.

2644. So that the purchaser has an article which he maybe under the impression was made within another district, whereas it was made within yours?—If he goes by the mark of the case he can always tell whether it is marked in London or in Chester or anywhere else.

Mr. Torr.

2645. In sending to Chester and London you follow the orders of the men who give you the orders?—Exactly so.

Mr. Courtney.

2646. You get orders from your customers to have some cases marked in Chester and some in London?—I do.

2647. Why is that distinction made by your customers?—It is according to their orders; they get orders from their customers for the same thing.

2648. What is the ultimate reason?—The only ultimate reason is this, that in some portions of the country one mark sells better than others, I believe; that is the only reason that I can give for it.

2649. Do purchasers think that the mark is connected in some way with the make or the quality, or both?—The purchaser as a rule does not know exactly, but the man who buys the watch knows who are the manufacturers. I do not suppose that the purchaser as a rule knows whether it is marked in London or in Chester.

2650. Why does the watch manufacturer prefer the one place to the other?—Because in the large towns in the North of England they like the North of England mark, and in the South of England they like the South of England mark.

2651. As to the real value of the article it is precisely the same?—Yes.

2652. It is evidently a deceptive variation; there is no real variation?—There is no real variation; it is simply because the watch manufacturers in one part of the kingdom prefer the one mark, and in the other they prefer the other mark.

2653. The manufacturers must know all about the truth, must they not?—Yes, they know all about it.

2654. Then it is for the people whom they sell them to, that they have it done?—No, the people whom they sell them to, as a rule, do not know what the mark represents.

2655. Why should they take the trouble to have the watch cases sent to London instead of to Chester, if it were not for some reason connected with the sale?—Because they prefer the mark of their own portion of the country, and the people down south, the sellers of the goods, prefer the southern mark.

2656. Only, I suppose, because they can sell them better?—I do not know whether they consider that they can sell them better, but I do not believe that persons in general know the difference. So long as there is the proper mark, they do not know the difference of the wheatsheaf from the other mark.

2657. I understand with reference to those cases which you have produced to the Committee, one of which has certainly the mark on it, you have taken the straightforward course of taking the mark out of two of them?—Yes.

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2658. And

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Mr. Courtney—continued.

2658. And in those cases it is completely removed?—Yes.

2659. I can still trace in this one before me where the stamped letters were?—It is almost an imperceptible mark, but still that is very easily covered over at any time.

2660. You have put those in for the purpose of showing that any additional mark could be removed?—Yes.

2661. As the honourable Member for Youghal pointed it out, a different mark might be adopted for foreign cases, and then the argument drawn from this would not apply?—It would not apply.

2662. Again, as the honourable Member for Plymouth has pointed out, you might have the same mark with a variation in the centre?—I do not think you might; you heard something from Mr. Walker about the lower standards. When these cases were first introduced into the market, we manufactured very largely those cases of a lower standard, and there was a man who had a large quantity of nine-carat cases made, and he positively took the nine-carat out, and he would palm them off for 18-carat cases.

2663. That was an additional mark, was it not?—No, it is all in one mark.

2664. Is it not side by side with the other?—No; they are put together between the other marks.

2665. Not one upon the top of the other?—It is one of a series; the nine-carat mark comes in the middle, and the others are on each side of it; but I believe they are all struck together. It is a most difficult thing to take out, because there are figures that denote it as well as the "9;" it is a very distinctive mark.

2666. You are entirely interested in this matter on behalf of the consumer, the purchaser?—Yes, in the interest of the purchaser.

2667. You want to protect the purchaser?—Yes.

2668. Have you heard many complaints from purchasers?—Yes; I have heard complaints from purchasers.

2669. What kind of purchasers have complained to you?—Purchasers of valuable watches; perhaps I am wrong in saying what you would understand by purchasers; I should say sellers. A gentleman told me in Liverpool that a person came in to him and wanted a watch, which must be of English manufacture, at a certain price. He said, "Well, I have not one at that price; I will see if I can get you one," but he went away without it. He afterwards bought a gold chain from him, and he came back and said, "I have got the watch." The watch he had was a foreign-made watch; and although the order came most distinctly to this gentleman (because he had the order from abroad for an English watch) he positively got a foreign one, simply because it had got a marked case to it.

2670. Was it represented to him as an English watch?—He bought it as an English watch, because he said nothing else but an English watch would do.

2671. Did he buy it believing that it was an English watch?—Yes; he bought it believing that it was an English watch.

2672. Because he saw the mark, and because he was told so by the seller?—I said because he saw the mark.

Mr. Courtney—continued.

2673. Then he deceived himself?—He deceived himself decidedly.

2674. Did he ask the seller for an English-made watch?—That I cannot say.

2675. Then he might not have been deceived by the seller?—He may not; but he certainly got a foreign one, because he was deceived by seeing the mark. He asked for an English watch; he told the seller that he wanted to buy a watch from him, and that nothing but an English watch would do.

2676. That fraud would not be at all prevented by this Bill?—No; the Bill does not go far enough.

2677. That fraud would not be at all prevented by this Bill?—To a certain extent it would, but not altogether.

2678. How would it be prevented at all?—The cases must be made in England according to this Bill.

2679. In the instance you gave, the case was made in England?—Yes; but we want this Bill to go further.

2680. You think that as it stands it is worth little or nothing?—It would be worth everything if you put the other clause to it.

2681. As it stands it is worth little or nothing?—Unless it goes to the full extent. You may take it as worth nothing, unless we get the other clause put to it.

2682. Can you conceive how that other clause would work, or how it would prevent a maker putting anything he liked inside the case?—We can prevent him, because he would be certain to be found out if you inflicted a penalty for it. Watchmakers would soon find it out if they caught them doing it.

2683. If any person was found selling them?—Yes; if any person was found selling them you can always trace him out, because every case maker must put a mark in the case, his own private mark. Therefore you can always trace them wherever they come from.

2684. But you are not bound to do that?—Yes, you are bound to do that. You must have your private mark in the case; you cannot get it hall-marked without a private mark being put in.

2685. The seller may not have been the man who made the case?—No, he may not have made it; but he knows from whom he buys the watch.

2686. Is not such stuff as English rubbish made in the matter of watch movements?—I should say that there are some watches made in England not so good as others.

2687. You would not protect the purchaser against inferior English work being put in?—We would if we could.

2688. Is it not quite impossible to do that?—I do not see how you can do it.

2689. It is to the interest of the consumer, is it not, that he should be able to get a good article as cheaply as possible?—Decidedly.

2690. If a good article can be produced abroad more cheaply than here, and as good, it is his interest that no impediment should be put in the way of its being brought into the market?—It is his interest that no impediment should be put in the way of its being brought into the market, as long as he cannot get the thing in England as good for the money, but he can get the thing in England as good for the money.

2691. I am putting to you the general principle that if an article can be produced abroad as good



Mr. Courtney—continued.

good and more cheaply than an article produced here, the interest of the purchaser is that no impediment should be put in the way of its being bought?—We do not put any impediment in the way. The Americans may bring them in duty free. All that we want is that they shall not be stamped as of English manufacture.

2692. You assent to that proposition, do you not?—I do not assent to that proposition.

2693. You think that impediments ought to be put in the way of goods being brought into the market which are as good and more cheap than our own?—If we let any goods come into the market duty free they ought to stand on their own merits, and sell on their own merits, and do not let them put our mark into them.

2694. Our mark is very well known?—It is well known in the trade all over the world.

2695. All purchasers of watches know what the English mark is, do they not?—As a rule they do, decidedly; and that is the reason it has become a trade mark.

2696. Supposing an American maker were to adopt the stars and stripes, would it be known?—It would not be known at all if the maker put his name in, and put nothing else in.

2697. Supposing this were allowed, and nothing else, they would not be unknown in this market, would they?—They would not be known in this market.

2698. Would not that create an impediment in the way of selling those goods?—Decidedly, because we do not want that. We want our works sold as our own. They want to sell their goods as our goods, and that we do not want.

Mr. Puleston.

2699. You instanced a case just now where the public purchasers in purchasing were deceived in cases where they bought watches by the marks; I understood you previously to say that the public depended upon the watch makers, and never saw the marks?—No, that is an entire mistake; I never said that.

2700. Do you hall-mark in Birmingham at all?—No.

2701. Why?—Because I have never any orders for Birmingham makers. Birmingham, as a rule, does not bear a good name. People think that rubbish is made in Birmingham of all kinds.

2702. But you would send them there to be marked if you had orders for it?—Certainly I would.

2703. And you hall-mark in London, because your customers who ask you to do it think that it adds more value to the case?—No, I do not say that at all.

2704. Why does it make a difference?—I do not say that it made any difference in the value. The value is the same. I make works for people down south, and I make works for people up north.

2705. Still there is a species of deception about the hall-mark as conveying an idea of the make by the mark?—No, there is not; because Liverpool has none at all; neither has Coventry.

2706. The foreign made works are sent over and put into English cases because of the supposed greater value and actual greater reputation of English watches, I suppose?—Decidedly.

2707. Are you aware that some American watchmakers send over for English works, and

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Mr. Puleston—continued.

on the contrary put their own names on them?—I do not think they do now. I know of very few instances where American makers send over for English works. There may be a few sent for, but not many.

2708. I believe it was the practice of the watchmakers of America to import works and put their own name on, preferring to sell them with their own name on rather than with the English name?—I do not quite understand you on that point.

2709. Foreign works are sent over here as you showed to be placed in English made cases, and with the view of being sold for English watches; then I asked you whether you were aware of the fact that American makers of watches send over for the works as well as the cases, and put their own names on them?—The Americans do not; they put their own names, and if they send for any goods of that sort they have English names on them.

2710. Still I happen to know the fact; for instance, I have a watch in my pocket as to which I have reason to know that the works were sent for to this country, but the maker preferred to put on his own name in New York?—That is an exceptional case. I have been in the trade a great many years and I never heard of such a case before.

Sir Charles Russell.

2711. As you are anxious to protect the consumer against getting a bad watch, has it ever occurred to you that a mark might be placed upon the works of an English watch in a certain part of the movement, and then, I think, it would somewhat puzzle the foreign competitor to make the interchange which you say is now so constantly done?—I do not think that that would act.

2712. You do not think that if there is a specific law with regard to a mark placed upon some part of the movement of a watch, a person upon going to purchase a watch would not be likely to open the watch and look for that specific mark?—I do not think he would because it would take many years to have any effect at all. The works are sold, and such a thing would not be known until it had been in existence so many years.

2713. You also mentioned another thing; you said that in tracing a fraud with regard to the manufacturer of cases, detection would be easy, because every man puts his own private mark; if the obliteration of the Goldsmiths' hall-mark is so easy, how is it that a skilful maker could not obliterate with great ease the private mark of any other maker?—He could obliterate it certainly.

2714. Then I presume that the difficulty of tracing which you would think would be so easy would be very considerable?—It would be very great.

Mr. Talbot.

2715. I understand you to say that you are in favour of retaining provincial halls; is that so?—Certainly.

2716. In Liverpool you chiefly send your watches to Chester?—We send principally to Chester.

2717. Do you find that the North of England people value the Chester hall-mark?—Yes, we do.

Q 3

2718. They

Mr. Rogers.

22 July  
1878.

*Mr. Rogers.*22 July  
1878.*Mr. Talbot—continued.*

2718. They prefer it to the London hall-mark?—Yes, they prefer it to the London hall-mark.

2719. Therefore your opinion is, that there should be no change in the present system of provincial halls?—Certainly not.

*Chairman.*

2720. You have been asked about the significance of the country mark; you are aware, of course, that it is only of very recent years that the law has allowed the British manufacturers to choose their own office?—It was only under the last Act.

2721. Before that every person was obliged to mark at the office at which he was registered?—Yes, in the district.

2722. And he could only register in a particular district?—Yes.

2723. And then for some reason the assay offices were thrown open not only to manufacturers but to dealers?—Yes.

2724. It is the dealers being allowed to have their punch which has introduced this practice?—Decidedly.

2725. So that if the trade had consequently foreseen what would have been the consequence of throwing open to dealers all over the country, they probably would have hesitated before they agreed to it?—I do not believe the trade ever knew of it until it was put into the Bill.

2726. Its effect has been rather a surprise upon them?—It has. The English dealer can have a mark wherever he likes.

*Chairman—continued.*

2727. As long as only the manufacturer could have his punch, this particular thing could not have happened?—Certainly not.

2728. Unless it could be shown that it was intended that it should happen, the Act of Parliament had an effect which was not intended?—It could happen in this way: that a man who had his mark registered, could often mark, as his own, works which were manufactured abroad, but not the dealer.

2729. I understand that you quite agree that if a horse's head, or some mark so distinctive as that were made imperative on foreign-made cases, that would distinguish them from English-made cases?—Yes; and if a private mark also was put into it, and the name of the works.

2730. They would not obliterate that?—No.

2731. You think the Americans probably would do so?—I think they would decidedly.

2732. Because until it had got a notoriety of its own it would not answer the purpose?—It would not be English work at all.

2733. If the fineness of the quality alone is what is required, you think that a horse's head would give that just as well as the lion?—Quite.

2734. If they want only to show the quality of their gold, you think that they ought to be satisfied with something that does show it without making mistakes?—Yes; without having our marks.

2735. And without running the danger of their being mistaken?—Decidedly.

Mr. HERBERT READ, called in; and Examined.

*Mr. Read.**Chairman.*

2736. You are a member of the firm of Read & Sons, Coventry, are you not?—I am.

2737. You are a watchmaker, as distinguished from a casemaker?—I am a watch manufacturer. I combine the whole of the materials, and produce the complete watch.

2738. You are speaking for the watch manufacturers, as distinguished from the casemakers?—Quite so.

2739. Do you speak for the trade of Coventry on this subject?—Yes.

2740. What is the opinion of the trade in Coventry upon the law which permits foreign made watches and cases to be imported, and marked with the English hall-mark?—They consider it a hardship, inasmuch as it misleads the public. My objection is pretty much similar to that of those who have gone before me, but there is not a doubt that it is the case, for a knowledge of watchmaking can never be popular; it must always be an educated eye to tell the difference between a foreign and an English watch.

2741. What do you say as to the suggestion which we have had before us once or twice, that the hall-marking of watch-cases should be voluntary?—I think that would be an entire mistake.

2742. It would put the foreign and the English maker on the same footing, would it not?—Quite so; it would put them both on the same footing.

2743. But that is a bad footing?—Yes, I think it a bad one; it would only be encouraging fraud.

2744. Your idea is, that as your trade has

*Chairman—continued.*

been built up with this hall-mark restriction, you have a right to keep it, and have the benefit of it?—Yes.

2745. What do you say about this Bill; do you agree that it does not go far enough?—Yes, I do not think it goes far enough, for this reason; that Swiss movements are being sent across to America now from Switzerland, and are being sent back again here and sold as being of American manufacture; so that we practically get the Swiss movement simply from America instead of from Switzerland, that is all.

2746. How would you add to the Bill to cure that?—I would not allow them to put their movements into English watch cases, and not to mark the cases for them.

2747. That is to say, you would not allow any watch which was made up of an English hall-marked case and a foreign movement to be sold?—Quite so, unless you give a distinctive mark for ours in addition to the present existing one.

2748. Leaving out any idea of a distinctive mark, is not your meaning this; that you would prevent the sale in the market of a watch consisting of a case with the British hall-mark in its present form, and a foreign movement?—Yes, I would prevent that.

2749. Do you think you can?—Yes; I think it is possible to do so by imposing a penalty on the sale.

2750. I suppose that would be no more, in your judgment, than the law at present, which imposes a penalty; if, for instance, a watch was sold

Chairman—continued.

sold with a metal dome in it?—But it is never enforced now.

2751. There is now a law to prevent the sale of an English watch with a metal dome?—Yes.

2752. That is found quite sufficient?—Yes.

2753. Have you never known an English watch sold with a metal dome?—No.

2754. Have you never heard of the law being required to be enforced?—I have heard of it in the case of Swiss watches.

2755. I am trying to develop your idea that the penalty on the sale would be at least as effective as the present restraint on the sale of watches is; you do not see any practical difficulty in giving effect to it?—No.

2756. No doubt there would be evasions, but you say that there are evasions of all kinds?—Yes.

2757. And you think that a penalty would be a sufficient protection to the trade?—Yes, I do.

2758. Do you agree with the evidence which has been given us, that the hall-marking of a watch case now does *prima facie* assert that the watch is a British made watch?—Yes; I consider that the hall-mark has become, to a certain extent, a trade mark, and practically it is so, of course.

2759. Of course the development of this new practice within the last year or two must, to a certain extent, have altered that condition of things?—Yes, people are gradually awaking to the fact.

2760. And you wish to prevent the evil while it is yet time?—Quite so.

2761. With regard to the difference between the country marks and the London marks, is that a matter of much importance?—I can speak only from my own experience, that the majority of the people with whom I do business prefer the London mark to any other.

2762. They feel a greater certainty in the goldsmiths' test, I suppose?—Yes; I cannot quite give you their reason, but I can only tell you that they insist upon the London mark, and will not take the Chester one.

2763. In the olden days, before the law was altered, and a watch was allowed to be hall-marked in any assay office instead of in the local one, where were you at Coventry obliged to mark?—At Birmingham, I believe; some 30 years ago I think that law was altered.

2764. Then, I suppose, the custom of marking in Birmingham almost ceased?—There is no doubt that a certain number of silver cases, made for common silver watches, are at the present time marked in Birmingham; but all the better class watches, I may safely say the major part of the better class watches, it is requisite to have marked in London.

Mr. Goschen.

2765. Do you have a London case with Coventry works in it?—Yes.

2766. Do you count that as a Coventry watch or as a London watch?—Simply from the fact that all the material is combined in Coventry, it is called a Coventry watch.

Chairman.

2767. It is a product of the Coventry industry?—Yes.

2768. Do you agree with Mr. Walker that it

0.117.

Chairman—continued.

would be desirable to have one uniform mark for the whole of England?—Yes.

2769. Whether you keep up the offices or not, you would make them all affix the same mark?—Yes, I think the marks should be uniform.

2770. That you think would be more simple?—Yes.

2771. You, of course, would take care that the standard was equally well looked after at the different country offices?—Yes.

2772. Subject to that you would do away with the distinctive differences?—Yes.

2773. Because they would no longer have any significance?—Quite so.

2774. I understand that now you can go anywhere, and that it is a pure matter of caprice to which one you go to?—Yes; our Coventry case makers can mark their cases in Chester or in London.

2775. Do not you know of any reason why they would prefer one to another except caprice; is the examination easier to pass at one place than another do you know?—I am not prepared to say; I have never made cases myself.

2776. But you would be in favour of having the same mark at all the assay offices?—Yes, strongly in favour of it.

Mr. Goschen.

2777. Why would you prefer it?—A uniform mark would be more readily recognised by the public.

2778. And it would do away with the distinction as to the locality where the watch was made, would it not?—I do not know that that would be an important feature.

Chairman.

2779. That distinction now has no significance whatever, has it?—Little or none.

2780. It can have none if you may go anywhere?—No.

2781. With regard to this distinctive mark, supposing you could not get what you wanted, namely, absolute prohibition, would you be satisfied with a distinctive mark, provided it were so entirely different as not to be capable of being misunderstood?—Yes.

2782. Do you think that if there were a horse's head, as had been suggested, made as the mark for foreign watches and cases, or foreign plate, that it would be much used?—It would take a long time before the public would inform themselves of the fact, but I think that after they had become informed they would recognise it, and that it would act well.

2783. Then so far as the standard of value is concerned the foreigner would have no reason to complain, because he would have that test and proof, and you would not complain, because it would not naturally assert that it was a British made watch?—Just so.

2784. Have you anything else which you wish to add to your evidence?—I have nothing further to add.

Mr. Goschen.

2785. Where are your watch cases marked that you make in your own trade for your own watches?—I do not make cases at all, but my case makers get their cases marked in London.

Q 4

2786. Have

Mr. Read.

28 July  
1878.

Mr. Read.

22 July  
1878.

Mr. Goschen—continued.

2786. Have you ever put watches into any other cases except with the London mark?—Yes, but not for the last seven years.

2787. Then you have adopted the principle of having only the London mark?—Only the London mark.

2788. Do you know whether that same custom is followed by other watch makers?—Yes, I should say it is.

2789. They prefer the London mark, you think?—Yes.

2790. Can you account for that in any way?—I do not know; I imagine they find it more easy to dispose of them.

2791. Why?—I really cannot say why I am not prepared to say.

2792. Is it because it gives it the appearance of a London watch?—No.

2793. Why does not it?—If you make an inferior watch, and put it into a case made in London, you would have great difficulty to find a man who knew anything about his business to accept your statement, that it was a London-made watch.

2794. What I mean is this: can you give any other reason why it is easier to dispose of an ordinary watch put into a London case, beyond the general idea that there is in favour of London watches?—I think there are other reasons.

2795. Can you state them?—No, I cannot.

2796. Is it because you prefer not to state them, or because of the difficulty to express them?—Simply that I prefer not to state them; I have heard the Chester mark repeatedly objected to.

2797. Why is the Chester mark objected to?—There is no doubt that there is an impression abroad that the cases are not of so good standard value as those that are passed by the Goldsmiths' Hall; that is the honest truth. Whether it is a correct one or not, I cannot say, but that is the impression.

2798. Is that the impression amongst the makers or amongst the public?—Amongst the purchasers of watches; I do not know whether it is shared by the public.

2799. Do you think that there are many members of the public, or a single member of this Committee, who before we met was aware that there was any difference between the Chester assay and the London assay?—I should not think so.

2800. But the general impression is this, is it not, that the public prefer watches with the cases marked in London?—That is the result of my experience.

2801. Can they trace where the works of the watch are made, if the London mark is in it?—No, it is impossible; if it be of English make.

2802. Therefore they buy it as a London watch?—If they were told that it was a London watch, they would be unable to disprove it.

2803. In the same way as they are unable to disprove it with foreign works put into a London case?—That is easy enough to show.

2804. It is easy, you think, to distinguish foreign works from Coventry works?—Yes. What I mean is, that no expert could tell the difference between the Coventry and the London work, whereas any one who is only partially educated in the trade can tell the difference between foreign and English work.

Mr. Goschen—continued.

2805. Putting a London watch case upon a Coventry watch, is more likely to make the public think that the watch is made in London, than putting the London mark on a foreign work would be likely to make them think that it is made in London?—I daresay that that would be so.

2806. The public is more able to recognise the foreign works in a London case, than country-made works in a London-made case; and they would be much more likely to think that the one is a London watch than the other, because your work is more like London work?—Yes; it is impossible to tell the difference between our work and London work.

2807. Therefore so long as you are able to put London cases on your watches, your watches can pass anywhere for London watches?—Yes.

2808. And while you are prepared to accept a London case for a Coventry watch, you are not prepared to accept a London case for a foreign watch?—Quite so.

2809. Would you be prepared to accept that there should be a separate mark for Coventry watches, and a separate mark for London watches?—I advocate that there should be one uniform mark throughout the kingdom.

2810. In fact you advocate one mark for the kingdom, so that a London watch shall not be able to be distinguished from a Coventry watch; the public is not to be guided internally as to any place where the watch is made, but externally it is to have a guide that it is not made, say, in America?—The public can never be any judge of watches, and it is nonsense to think they ever can. The public may be able to judge of the quality of the gold when they are told by Goldsmiths' Hall that it is 12, 15, or 18 carats to the ounce, but they cannot possibly judge of the interior of a watch.

2811. Why are you anxious to have one uniform system for all England if the public are unable to judge by the construction of the watch; why not let them know where the watch has been made by several marks, instead of having one universal mark for the country?—If it would give any information to the public, I would not object to it.

2812. You would not object to having a different mark for all the different centres where the watches are manufactured and put into cases?—No, I think not.

2813. I thought you were in favour of doing away with the different assay marks?—I advocate a uniform mark; but I have no strong objection against your proposition any more than that I think it would lead to confusion.

2814. But at present the London cases practically have superseded the cases marked at other places?—Yes.

2815. The prestige of the metropolis has been a guarantee to watches made in the country?—It is not on account of the workmanship, but merely the guarantee of the Hall; it is the strong faith in the integrity of the people at the Hall.

2816. The Chairman asked you whether your trade was built up by the present restrictions, to which you answered "Yes"; will you explain what you mean by that?—I do not think I can do that.

2817. The Chairman put this question: "As your trade has been built up under the present restrictions, you consider that those restrictions ought

*Mr. Goschen—continued.*

ought to be maintained"; do you assent to that proposition?—I do not know what restrictions you refer to.

2818. Have you any restrictions?—If you refer to the restrictions that compel us to make the whole of the case of gold, that is one.

*Chairman.*

2819. The restrictions which I was referring to were with respect to the efficacy of the clause prohibiting the sale, and I asked you whether, as your present trade had grown up, although you were under restrictions as to selling, with regard to the necessity of having the whole of the watch of standard gold, you were willing to allow the benefit which you have acquired in that way to be handed over to other people who have not gone through the same burden?—I do not thoroughly understand your question, I am sorry to say.

2820. The fact is you did not fully grasp the effect of the question; has your trade been built up through restrictions in any way?—It has grown in spite of restriction; it has grown with restrictions placed upon it.

2821. And not in consequence of any restrictions; there are no restrictions in your favour?—I should think that those restrictions tell well upon the mind of the public.

*Mr. Goschen.*

2822. Are there any restrictions connected with the watch-making trade which have tended in favour of the trade?—Yes, I am of opinion that the restriction that compels us to make our cases of pure silver or gold, as the case may be, all of one standard, tells in favour of the trade.

2823. How does that tell in your favour?—It produces a confidence in everything that we offer for sale.

2824. Does it increase the number of watches that are bought or the price of the watches?—It enables us to get a better price.

2825. As compared with whom?—As compared with the foreign competitors.

2826. Then the present system is a guarantee to the public that English watches are superior to foreign; is that so?—Yes.

2827. And you wish to maintain that guarantee?—Yes.

2828. And you wish to maintain the restriction?—Yes.

2829. But you consider that notwithstanding that guarantee the public now buy more foreign watches than is good for them, do you not?—They are buying foreign watches now, and imagining that they are buying English watches.

2830. And have the complaints from the public given rise to any movement, or has the movement arisen from the manufacturers?—From the manufacturers.

2831. Then the manufacturers consider that the public have bought cheaper watches, but that they have got worse watches than the public are entitled to, and it is out of regard for the public buying so many bad watches that you wish action to be taken?—We have a selfish motive too; we are no doubt suffering from it.

2832. You are suffering from being undersold by the foreigners?—Yes, and we do not think it fair competition.

2833. Would you be prepared for competition if all the restrictions were removed on you and 0.117.

*Mr. Goschen—continued.*

on them, if you were not obliged to make your watch any more in a certain way, or if yours were not obliged to be hall-marked, and if theirs were not obliged to be hall-marked?—No, I am opposed to a voluntary hall-mark, because I think it would lead to fraud.

2834. How would it lead to fraud?—There are plenty of unscrupulous dealers in watches who would not neglect to pass off watches in cases made of an inferior metal, and represent them to be genuine.

2835. Do you mean that they would forge the mark?—No.

2836. Then they would have no mark on them at all?—I understood your question to mean whether I thought that if hall-marking were voluntary it would tend to produce a better state of things.

2837. You have said that it would lead to fraud; I do not quite see the particular fraud that you mean; will you explain it?—If there is no hall-mark then there is no guarantee to the public; they are simply reduced to the position of taking the word of the man who sells the watch.

2838. If there was a voluntary hall-mark, some watches would be marked at the hall, would they not?—I think so.

2839. Then the public would have its option of taking the guarantee or not taking the guarantee?—Yes.

2840. What evil results would follow from the public having that option?—I think the great majority of makers of common watches would not hall-mark their cases.

2841. Then would they be able to sell them; would the public not prefer a watch with a hall-mark to it?—A certain section of the public, would, I think, but with a large section of the public the price is the first consideration.

2842. As it is with other goods besides watches, I suppose?—Yes.

2843. And you wish to deprive the public of that; you think that it would not be good to accord to the public the option of either having a guaranteed article at a higher price, or a non-guaranteed article at a lower price; you would prefer to force the public to have the guaranteed article in either case?—I think that the good that would come from the one would be more than compensated for by the evil necessarily arising.

*Mr. Whitwell.*

2844. May I ask whether you put your own name or any mark upon your works that you make yourself?—In some cases.

2845. Do you generally mark them, or do you only mark those that are made of a particular quality?—No; they are generally marked with the name of the maker that they are made for.

2846. You are in the habit of putting the maker's name upon works which he does not make?—Putting the seller's name upon works that he does not make.

2847. Is that a common practice in the trade?—Very common.

2848. Do all the works that are turned out of your establishment purport to have the maker's name upon them?—No, not one-half.

2849. Is the half which you put no name upon of a lower quality, or are they the ordinary quality to the trade?—Some of them are of a lower, and some of them of a higher, quality.

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Some

*Mr. Read.*

22 July  
1878.

Mr. Read.

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1878.

Mr. Whitwell—continued.

Some are sold with the plates unfinished, so that the man who buys can, if he likes, put on his customer's or his own name, as may be required.

2850. Do you make all the works yourself, or do you buy them?—We do not make anything.

2851. You buy separate pieces of workmanship and put them together?—Yes, we finish them.

2852. Where do the separate pieces of workmanship come from?—Some from Lancashire; the rough material comes from Lancashire, and we have manufactories in Coventry, which produce rough material too.

2853. Do you buy any foreign work?—Yes.

2854. Do you buy any from Switzerland?—There is a certain material in an English watch, and I have heard once or twice the question asked, whether an English watch containing Swiss material is rightly termed an English watch; nine-tenths of the English watches contain what is called a foreign mainspring, and possibly a foreign chain in perhaps half the cases. The cost of those two things, perhaps, is from 1 s. 3 d. to 1 s. 6 d., and the cost of the watch will probably be from 3 l. to 4 l. I will leave it to the Committee to judge as to whether, upon a small item like 1 s. 6 d. being used compared with the total average cost of the watch, it is fair to call it a Swiss watch or an English watch.

Mr. Whitwell—continued.

2855. Are there not a number of works put together so that they become what you would call the works of a watch containing much more than that proportion of foreign raw material?—There are some.

2856. Is it the fact that sometimes, the works of watches are put together and sold as English made works, which contain a large proportion of foreign raw material?—You can only get at this proportion from a knowledge of the total outlay upon them; there are some rough movements that cost as much as 5 l. from the Swiss, but when they are finished up in the hands of an English maker there would be, perhaps, from 25 l. to 30 l. laid out upon them.

2857. You are not prepared to tell the Committee at what point the works are to be sold as foreign, and the point that they are to be sold as English?—That I could judge from any specimen placed before me. I could tell precisely where the English work comes in and where the foreign work ceases.

2858. You would require a sort of classification as to the form in which those works should be entitled to be put into a London hall-marked case, and in which they should be entitled to be put into a foreign case, or some designation and mark upon the case as well as the English hall-mark?—I think so.

*Monday, 29th July 1878.*

## MEMBERS PRESENT :

Colonel Blackburne.  
Mr. Courtney.  
Mr. Orr Ewing.  
Mr. Freshfield.  
Mr. Thomson Hankey.  
Sir Henry M. Jackson.  
Sir Joseph M'Kenna.

Mr. Muntz.  
Sir Patrick O'Brien.  
Mr. Onslow.  
Mr. Talbot.  
Mr. Torr.  
Mr. Whitwell.

SIR HENRY M. JACKSON, IN THE CHAIR.

Mr. HERBERT READ, called in; and further Examined.

*Chairman.*

2859. I THINK you have some correction to make to the print of your answer to Question 2849, have you not?—I find that I expressed myself so clumsily that my words give an impression I did not intend to convey. I appear to have represented it as a custom of our trade to make watches in order that the purchaser may put upon the watches the name of a known maker; that is entirely erroneous; what I wished to convey was simply this, that known makers give us orders, and instruct us to place their names upon the watches for them, and the plates are left unfinished in order that that may be readily done.

2860. Do you mean known makers or known dealers?—Both.

2861. A well-known retailer who vouches your reputation by endorsing your watch with his own name, directs you so to finish the watch that his own name may be put upon it if he requires it?—Quite so.

*Mr. Whitwell.*

2862. That is done, is it not, to a considerable extent?—To a very considerable extent.

2863. I think you said that one-half of your watches were marked with the names of the persons to whom you sold them, as if they were the makers of them?—That is so.

2864. Would you have any objection to make watches in Coventry to be put into foreign cases?—Yes, we have the strongest objection to it.

2865. What objection would you have to my purchasing of you works which I might afterwards put into any cases that I chose?—We do not sell the works by themselves; we sell the watch completed.

2866. Then I am to understand that you put your works into a case before you send the watch away from you?—Yes.

2867. If I were to send a lot of cases to you without any hall-mark, would you put works into those cases?—No.

2868. You require them to be hall-marked before you use them as a cover for your works?—Yes.

2869. A question was asked of a previous witness, "What is the reason why you object to putting your works into a foreign-made case;"

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*Mr. Whitwell—continued.*

would you have the goodness to answer that question?—We wish to keep our watch a true English watch as far as we possibly can in every respect, but there is perhaps another reason that might be more clearly understood by this Committee, if I simply say that it would not pay us to do so; there would be no object in doing it as it would depreciate the value of the movement.

2870. But if I were to purchase a lot of American cases, and got them hall-marked, and sent them down to you, how would you know that they were not English cases?—As I before explained, we do not sell the movements; we complete the watch.

2871. I am aware of that; but supposing I were to do so, would you be able to detect a case made in America from a case made in England, if the American case was hall-marked?—Yes.

2872. Would you tell the Committee what would be the grounds of identification?—There is a peculiar style of workmanship by which any casemaker, or almost any watchmaker can detect the difference; he detects the difference in style at once; the American style of case is entirely different to the case that is made and accepted in England; and the same with the Swiss case; it is different to the English case.

2873. Then, an ordinary expert in the trade when he saw a watch, even if it were hall-marked, and if it were made in America, would recognise it as being of foreign origin?—An expert would, but the public generally would not.

2874. But would an ordinary dealer know?—Yes.

2875. With reference to a question which I asked you the last time you were here, you gave the Committee some interesting information as to the movements that you use being manufactured in Switzerland; I think you said that Swiss movements were only used to a small extent?—Swiss movements are used to a small extent, and some of them, as I stated, are of considerable expense.

2876. Are they nearly all manufactured in Geneva, or in what part of Switzerland?—They are rough movements; I do not know the precise locality from which they come.

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2877. You

*Mr. Read.*

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Mr. Read.

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1878.

Mr. Whitwell—continued.

2877. You purchase them from some dealer in London, do you not?—Yes.

2878. And does the dealer transact business on a large scale?—No, it is not done upon a large scale; it is comparatively a small trade.

2879. Have you known any instance in which American movements were introduced into watches made in Coventry?—No.

2880. I mean any movements in the raw state?—No, certainly not.

2881. Then Coventry is only indebted to Switzerland, or is it at all indebted to France?—No, simply to Switzerland.

Mr. Muntz.

2882. You stated, did you not, that you had a good many watches from other manufacturers, and upon examination you put your name upon them?—No, I did not say that; I think the honourable Member must be under some misapprehension on that score.

2883. I understood you to say that you put your name occasionally on other manufacturers' watches, that is to say, you were ordered to make watches and to put other names on them?—That is so.

2884. Then, in fact, those makers send them to you knowing that when their name is put on the watches they can rely upon the quality of them?—Quite so.

2885. And it is their name that sells the article?—Yes.

2886. Whether you make it, or whether they make it, they rely upon your not putting their name upon anything which is not perfectly good, so as not to interfere with their reputation?—That is so.

2887. I think I asked you the other day a question on the subject of brass domes for the common class of gold watches; do you see any objection to English manufacturers being allowed to put those brass domes so as to be able to compete with foreigners in neutral countries?—Yes; it would not assist us to compete with the foreign watch.

2888. What is the objection?—The true objection is this, that we think that, in the opinion of the public, the English watch would suffer; that is to say, their belief in the integrity and the quality of it would suffer from the hall-mark being made voluntary; in addition to which our movements are of that character that they are not adapted for a trade which requires a covering that is comparatively inexpensive.

2889. I was showing you a few minutes ago a watch which I have in my pocket; what harm would it do that watch if it had a brass dome instead of a gold one; would it not go just as well?—It would not be the least harm, but, as makers of watches, we are anxious to carry everything out in a regular way; that is to say, that all the parts which are finished should be pretty much of a piece, and that, in short, the ship should not be spoiled for a ha'porth of tar, as we think would be the case if we were to adopt the metal dome.

2890. What would be the approximate value of the gold in the dome?—I should think about a sovereign.

2891. Is not that an enormous handicap in competition with foreign houses for a cheaper sort of gold watches?—We do not find that that is so.

2892. Has the gold watch trade in Coventry

Mr. Muntz—continued.

increased of late years in proportion to other trades?—Yes.

2893. Have you not found any interference by foreign competition in neutral countries?—I think I should not be exaggerating if I were to say that for one gold watch that was made in Coventry thirty years ago there are a hundred now.

2894. You are aware, I suppose, that the English merchants export to Australia and New Zealand a great many French watches?—Yes.

2895. Must not the difference of from 15 to 20 per cent. of the value of the dome interfere with the competition?—I do not think it does.

Mr. Freshfield.

2896. You do not object to the hall-mark?—We wish to maintain it.

2897. You consider that it is an advantage to have a certified value?—Yes.

2898. But you do object to foreign watch-cases being marked?—Yes.

2899. And I believe your objection is founded upon the fact that it leads to a misconception and misconstruction?—Yes.

2900. I think you said that the practice was only a modern practice, or, at all events, the necessity for it was not known until lately?—That is so.

2901. And I think you said that time would tend to obliterate the evils that arose from the cessation of hall-marking?—No, I did not state so; I have not had that question put to me.

2902. It is not your impression then that when the law becomes better known this misconception will be diminished or abated?—No.

Sir Patrick O'Brien.

2903. I think that in many of the questions with reference to watches the Committee have proceeded to some degree upon the assumption of the admitted superiority of English watches, and, therefore, there being a stronger necessity for guarding people against the importation of foreign watches sold as British; it is true that both in England, as abroad, good and bad watches are sold?—Yes.

2904. And that there is no special reason why abroad should be the only place in which watches of an indifferent character are made; there are indifferent watches made in England, are there not?—Yes.

2905. There are good, bad, and indifferent, in fact, in both places?—Quite so.

2906. I do not know whether you heard a witness in the earlier part of this inquiry who stated that he received an order for a watch of an extravagant character, a thousand pound watch, I think he said, and he told this Committee that he was obliged to get the movements from abroad, as they could not be obtained here; do you think he was accurate in that statement; have you ever heard of a similar occurrence?—I never heard of such an occurrence; I have only seen it in the evidence.

2907. The object in having the cases hall-marked, and of your desire in not to have it given up is, that the hall-mark is to a certain extent a trade-mark, and certifies that the watch is British work?—That is the ground of our contention.

2908. If there were British cases made in England, and hall-marked, which the Goldsmiths' Hall

*Sir Patrick O'Brien*—continued.

Hall would not refuse to do, is there anything to prevent their being filled with foreign works?—Yes.

2909. Will you be good enough to tell us what it is?—The Bill lays down that if there is any suspicion that the cases are not made for English works a declaration should be required from the case maker to that effect.

2910. I think you scarcely understood my question; I asked you whether it was not possible to place foreign works in English-made watch-cases, hall-marked, and you said you thought it was difficult; and then I asked you to be good enough to state wherein the difficulty consists?—With the English trade nine-tenths of the cases are made to each individual frame. By a frame I mean the rough movement; and it is quite easy to distinguish between the English rough movement and the Swiss.

2911. That is, at present, when foreign cases are permitted by law to be hall-marked; but allow me put to you a suppositious case of that provision being taken away and foreign cases being refused the privilege of hall-marking; would I be in error in saying that although you could arrange in the trade in this way that in England you might get a watch-case manufacturer to make watch-cases of a certain shape and a certain framework to fit the foreign works, and prepared for their insertion when they came to England, when the necessity would arise for it you would refuse to hall-mark a foreign case?—I think that the difference in the construction of foreign movements and English movements is so marked that it could not by any possibility be worked with success, for the style of the case that would be required to fit a foreign movement, and the style of the case that would be required to fit an English movement are so totally distinct and different that it would be readily detected at Goldsmiths' Hall.

2912. I am not for a moment saying that the trade would not know it, but would the British public know it, for whom the hall-mark would be meant as a protection?—It appears to me that there would be no necessity for that question if the thing were not allowed to be done. I have shown there would be a difficulty in passing through the hall.

2913. Pardon me, the law, as I understand, would be that it would not allow foreign cases to be hall-marked, but there would be no prohibition to allowing English cases to be hall-marked and fitted with foreign movements?—That is the very thing of which we complain, and which the 3rd clause of the Bill proposed provides for.

2914. But you do not propose, as I understand, to prohibit the introduction of foreign works into English-made cases?—Yes, that is one great point.

2915. That is new to the Committee as well as to me, I think?—It is nevertheless so.

2916. You were asked by the honourable Member for Birmingham with reference to the dome; would I be right in saying that the value of the dome is, in a rough way, about one-fifth of the value of the whole case?—In a rough way I think that would not be difference enough; say one-eighth.

2917. Do you think that one-eighth would be nothing in the race of competition with foreign manufacturers; it would be a considerable element, I should imagine?—That is so; but this appears to me to be a total misconception. Our

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*Sir Patrick O'Brien*—continued.

watches are not placed in competition with foreign watches; they are sold side by side with foreign watches. The cheaper watch with the metal dome is sold to a customer who has only restricted means, and if he did not buy that he would not have a watch at all, and it provides for his necessities.

2918. It is like *vin ordinaire* competing with *Latour* or *Lafitte*?—Precisely.

*Mr. Courtney.*

2919. I think I understood you to say that you would always know an American watch-case from an English watch-case?—Yes.

2920. Then there is no attempt at imitation on their part?—When I said that I meant the American case as intended for the American market.

2921. I am speaking of an American case which is brought and hall-marked here?—It is not American manufacture at all; it is Swiss.

2922. Would you always know it from an English case?—People in the trade would; the public would not.

2923. I suppose it is the people in the trade only who would really know an American case from an English case?—Yes.

2924. So that, in point of fact, there is no attempt to deceive the trade as to the origin of the manufacture of the case?—No.

2925. But the hall-mark clearly to the trade only indicates the material?—To the trade, that is so.

2926. As to the question of putting the dealer's name on, you put on any name that is ordered, or you leave a space for any name?—We do not put on fictitious names; a man will order his own name to be put on.

2927. But you leave a space also if he desires to have a space left for the name to be put on?—We sell the watch without a name.

2928. But with a place where the name would usually be stamped?—Yes.

2929. What do you suppose is the impression in the mind of the purchaser when he sees a name of that kind put on?—The impression upon the mind of the purchaser is that he is buying a watch of which the name is the guarantee.

2930. A guarantee of what?—A guarantee that it is the article which it is represented to be by the seller.

2931. You do not think that he is inclined to the opinion that it is made by the person whose name is on it?—In some cases that might be so, but there must be a large section of the public that are uninformed in that respect.

2932. That uninformed section is a large section, in fact; the great majority probably?—Perhaps so.

2933. With respect to them, what difference is there between the name of an English seller being put on a Coventry watch and the name of an English seller being put on a Geneva watch?—A very simple one; if an English seller puts his name on a Geneva watch it at once gives the public an impression that it is an English watch, whereas if he puts his own name upon an English watch he offers it to the public as a guarantee that it is what it is represented to be.

2934. A guarantee that he has examined it, as I understand it, and a guarantee that it is a good watch; not that he has made it?—If it is an English name it is a guarantee that it is an English watch.

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2935. How

*Mr. Read.*

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Mr. Read.

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Mr. Courtney—continued.

2935. How do you make that out; you admit that it is not a guarantee that the man whose name is on it is the maker?—That is so; but it is not customary with respectable dealers to put their names upon foreign work.

2936. That is a different question; the question is as to the presumption in the mind of the buyer; he sees a name on a watch and the great majority of ignorant buyers would suppose that that was the name of the maker of the watch?—Yes.

2937. What is the difference in the morality of the system when it is really not made by that person whose name is on the watch; in one case it may be made by another Englishman, and in another case it may be made by a Genevan?—I fancy that the purchaser not only takes the name to be a guarantee of the quality, but also of the nationality.

2938. I suppose the presumption is that an Englishman would not put his name on any but an English watch?—Yes.

2939. Although he may put his name on a watch that he has not made?—Yes.

Sir Joseph McKenna.

2940. In order to gather the general effect of your testimony before the Committee, do I understand you rightly that you would prevent all foreign watch-cases being marked at Goldsmiths' Hall?—Yes.

2941. Do I understand you rightly that you would prevent English-made cases from being fitted with foreign works?—Yes.

2942. Would you prevent English-made works being fitted into foreign cases?—Yes.

2943. Would you prevent an English watch-works maker from selling his works without a case?—Yes.

Mr. Talbot.

2944. How do you propose to carry out all those conclusions which the honourable Member has just put to you?—I would prevent all foreign watch-cases from being marked at the Assay Office. If a foreign case were offered for marking, this Bill provides that a declaration shall be required from the English maker who offers it for assay. I think that would prevent foreign cases going to the Hall.

2945. The machinery of the Bill does not provide that everybody who brings a watch case should make a declaration, but only in the case of being challenged?—Only in the case of being challenged.

2946. Would you say that that declaration should be made in every case by everybody who brings a watch case?—That is practically understood.

2947. Do you mean that that is practically understood to be the desire of the trade?—No, I mean to say that it should be practically understood that no English case-maker should offer work for marking unless it were of English manufacture. If the people at the Hall have any suspicion as to the workmanship being English, then a declaration should be required from him.

2948. What I am asking is not what ought to be done on general principles, but how you would propose to carry out the restrictions which, in answer to the former question, you said ought to be laid upon those manufacturers; you say, in the first place, that you would have this declaration; do you wish it to be made in every case?—No, only when challenged.

Mr. Talbot—continued.

2949. The second question is, whether you would prevent any English-made cases from being fitted with foreign work, and you say, Yes; how would you prevent it?—The action of the Hall would prevent it.

2950. I believe that to be entirely impossible; only I want to know how you arrive at it. If you were drawing a Bill, how would you suggest that it could be done?—My answer to that is, that the construction and style of a foreign watch is so different to an English one, and that the style of the case would be necessarily so different, that it would at once occur to the people at Goldsmiths' Hall that those cases are not intended for English movements.

2951. Supposing any manufacturer chooses to fit up an English made-case with foreign works, how would that prevent his doing so; you say that they would be able to tell at once that he has done it, but that does not prevent him doing so?—I would prevent it by a penalty upon the seller.

2952. You mean a penalty upon the seller of an English-made case fitted with foreign works?—Yes.

2953. In the third case you would prevent English-made works from being fitted with foreign cases; is that also to be by a penalty upon the seller?—That would meet the difficulty, but it would never occur.

2954. Then if it does not occur we need not trouble ourselves about it; I thought those were difficulties for which you considered we wanted a remedy?—I think it would never occur.

2955. Then you would prevent an English watch-works maker from selling his works without a case; how would you do that?—I am afraid I am not prepared with any suggestion on that point.

Mr. Orr Ewing.

2956. I suppose it would be very easy to enact a law to compel foreign manufacturers, either of cases or watches, to have a distinctive mark?—Yes, it would be easy to enact such a law.

2957. If a watch had this mark upon it it would be known that it was not of English manufacture; for instance, if the works of a watch were made in Geneva, and you put "Geneva" upon it, that would sufficiently distinguish it from a watch made in this country?—Yes; but we in Coventry are totally opposed to a distinctive mark; we are opposed to foreign watches having any mark, except their own marks.

2958. But the public do not understand those marks; why are you against any distinctive mark of foreign manufacturers?—The English public may not thoroughly understand it, but it is well known in their own countries, and their marks have the same value there as ours have here.

2959. What harm would it do to the watch-makers in England if cases and works were marked "Geneva," if they were made in Geneva?—If it were in addition to the hall-mark, it would still have the appearance of an English watch.

2960. If "Geneva" is on it?—Yes; inasmuch as the hall-mark has become a trade-mark, and is accepted so by the British public.

2961. If the word "Geneva" was on it, would not that be sufficient to inform the public that it was not an English watch?—A great section of the public merely examine the hall-mark; they do not go further than that.

2962. You

Mr. Muntz.

2962. You mentioned that you would like to see some penalty inflicted for putting an English mark upon a foreign watch-case?—Yes.

2963. And also foreign works in English cases?—Yes.

2964. And I think I understood you to say that you would object to English works being put into foreign cases?—Yes.

2965. How would you prevent it; supposing English works were exported to America or Australia, how could you prevent their being put into foreign cases?—Australia is not a point worth considering, as neither cases nor watches are made there; there would be no object in putting English works into foreign cases, because it would entail a loss upon anyone doing it.

2966. But they might take a fancy to imitate your watch cases generally, so as to sell them as English watches; in that case, would you allow them to put English works into foreign watch cases?—If they want to do that, they must go to the same expense to produce them as we do, and there would be no object in that.

Sir Patrick O'Brien.

2967. You said you would not allow an English manufacturer to sell works without a case; would you extend that prohibition to the purchaser of foreign works?—If he purchases foreign works, I would prohibit him from having the hall-mark upon the case.

2968. I am not speaking now of cases or hall marks, but on the point that the honourable Member for Youghal examined you about; you say that you would prevent an English manufacturer selling the works without the case, and I ask you whether you would prevent the same manufacturer from purchasing foreign works without a case?—Yes.

Chairman.

2969. You are aware that, although these questions have been put to you, there has no proposal ever been made to prevent dealing in English watch movements?—No.

2970. The honourable Member asked you whether, if you had your own way, you would be willing to make a law which would prevent an English watch movement maker from selling his movements to any foreigner, and by him to be put into a foreign case abroad, and you answered yes, but practically no proposal of that sort has ever been made?—No.

Mr. Orr Ewing.

2971. Is there any law at present to punish the seller of a watch who sells a foreign-made watch, and puts his own name upon it as an English watch, leading the customer to believe that it was an English-made watch?—No.

2972. Is he not liable in damages?—He is not unless he gives a written guarantee.

2973. Are you not aware of a case which has been lately settled before the Lord Mayor, in which Sir John Bennett, having sold a foreign watch, and put his name upon it, was fined for having done so?—I have not heard of it.

Mr. Whitwell.

2974. Are any watch movements made in London?—Yes.

2975. Are they equal to those made in Coventry?—Yes.

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Mr. Whitwell—continued.

2976. Then there is an advantage in putting a London watchdealer's name upon a Coventry-made watch, I presume, because it passes for a London-made watch?—There is, practically, no difference between a watch made in London and a watch made in Coventry, or any other place where the English watch trade is carried on; I mean by watchmakers of any repute.

2977. So far as any other person is concerned, if his name is put upon the watch, and I go to his shop and find that it is so, I naturally conclude that it is made by the person whose name is upon it?—Or that his name is a guarantee that he is selling you a good watch.

2978. Why should not the same name be a guarantee in a Swiss-made watch as the honourable Member for Liskeard asked you?—That would be so with a respectable man.

2979. Why should not I put a Swiss-made works, with the guarantee of a London dealer's name as having examined the works, into a London hall-marked case?—We contend that it gives an erroneous impression to the public.

2980. But if, for all that, I being an expert watchmaker, guarantee the works to be good, do I give an erroneous impression, seeing that the works are the same as I could make myself?—If you sell Swiss works as an English watch you give a wrong impression.

2981. If I guarantee them to be as good as English-made works, does that give a wrong impression?—No.

Mr. Freshfield.

2982. Do not you think that your objection to the misconception arising out of the application to foreign watch cases if the hall-mark would be met substantially if not entirely by there being a mark indicating foreign manufacture?—We object to a distinctive mark.

Chairman.

2983. Supposing that were so, would not that to some extent obviate your difficulty?—Yes, we would accept that rather than nothing.

Mr. Onslow.

2984. Is it the fact that London firms actually inspect every single watch that they sell, or do they put their names on them merely from their *bona fides* of the merchants who send them to them from abroad?—They do not take down every watch. Every watch passes under inspection, but they do not take it to pieces and examine it.

2985. What is that inspection; is it merely passing them before the eye?—Exactly.

2986. They can tell by that, can they, whether the work has been scamped, or whether it is properly done?—Yes, they may possibly take one down in a dozen; they would take that as a specimen.

2987. In fact one being good will guarantee a batch; is that the way they go to work?—Yes, they would take one haphazard from a parcel of a dozen.

Sir Patrick O'Brien.

2988. A general average?—Yes, a general average.

Mr. Read.

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Mr. LEWIS JOEL, called in ; and Examined.

Mr. Joel.

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Chairman.

2989. You are a member of the firm of Joel, Son, & Deal, watchmakers, at Coventry?—I am.

2990. You have had considerable experience in the trade, have you not?—I have had 10 years' experience; that is to say, I have travelled for 10 years.

2991. I think you have been acting as Secretary of the Watchcase Makers' Association of Coventry?—I have.

2992. In that capacity you have taken a considerable interest in the movement which has resulted in the Bill now before the Committee?—Yes.

2993. When was it first observed that English dealers presented foreign-made watch cases for assay in this country to the English authorities?—I first commenced to notice the sale of foreign movements in English cases to any extent about five years ago. I believe they were sold in small numbers previously to that time.

2994. What I was asking you was about when foreign movements in English cases were first presented to be English hall-marked?—It is one and the same thing pretty nearly; it is five years since they were sold in any quantity worth mentioning.

2995. Since then I believe it has become a pretty general practice?—It has, as the Chester return shows.

2996. Is it the Swiss manufacturers who send those cases over to be hall-marked in England, and if not, who is it?—The Swiss manufacturers who send them to be hall-marked do not care about it so much; it is the English tradesman that encourage the practice, and get a better price for their article by doing so.

2997. Who do you consider are in the habit of sending those foreign watch cases to be marked at Goldsmiths' Hall?—The English factors.

2998. Are they registered dealers at the office?—Yes, they do it themselves, and they do it through their makers in Switzerland.

2999. We have had a witness from America, a representative of the Waltham Watchcase Company, a Mr. Bedford, and he told us that watches made by his company for sale in this country are certified by their own mark; does your experience agree with that?—No, it does not; at least, not in all cases.

3000. Have you any evidence to give to the Committee upon that subject?—I have seen as many without their mark as I have with their mark.

3001. Would you know the difference?—Yes; I should tell a Waltham watch as soon as I saw it.

3002. But would an ordinary purchaser?—No; sometimes they place the name of the American Watch Company on them, and sometimes they place no name on them at all, and sometimes they place their own name, "Ellamy, Waltham." The public do not know where Waltham is, and a great many of the public think that Waltham is in London, and I know customers who have told me repeatedly that they have been asked by a purchaser, "Let us see, where is Waltham?" and they have pretended not to hear the question until they had the money in their till, and then they have told them all about it.

Chairman—continued.

3003. I suppose you admit that the Waltham Company has made very good watches?—They make both sorts.

3004. Supposing that a watch is a good one, in what way do you make out that the public are injured by its bearing the English hall-mark?—I think they are injured in this manner, that both Waltham watches and Swiss watches are now ticketed up in the shop windows at English prices; that is when they bear the hall-mark on the case they are ticketed in the window four guineas or 4*l.* 10*s.*, whereas if they were in cases that were not hall-marked, perhaps the silver would be worth a matter of 2*s.* or 3*s.* less, but the self-same identical watch would be ticketed up at 50*s.* or 3*l.*, so that by putting in 2*s.* or 3*s.* of value of silver in it, perhaps they get as much as 1*l.* or 30*s.* on the watch, by the public thinking that they are buying an English article.

3005. That is to say, if that watch did not have the English hall-mark on it, and the Swiss watch which would be worth 2*l.* 10*s.*, were sold at four guineas, and if the works supplied in Waltham were worth about three guineas, and it were sold at four guineas, in each case you consider that the value of the English hall-mark, whatever it may represent, is equal on the Swiss watch to 30*s.* and on the other watch to 1*l.*?—It puts upon both watches an English price instead of a foreign price, and the public pays the English price instead of the foreign price in the majority of cases.

3006. In that way one sees that the public are deceived, and although if they get a good article, it is not a very serious matter, yet it prevents legitimate competition?—Decidedly.

3007. As I understand, you are not afraid of competing with either America or Switzerland, so long as the watches come in as American or Swiss watches?—No; we are making in Coventry a watch after the same stamp as the American watch, and as cheaply as they can make themselves.

3008. And that you can sell at the same price?—We can sell a watch now at the same price as the Waltham people.

3009. Then supposing that Waltham had no hall-mark or distinguishing mark, what difference would it make in the selling price?—You must understand that Waltham watches are sometimes sold as patent levers, and thereby they get the old price which was given by the public for patent English levers.

3010. Have you not some specimens of watches which you can show us, and which would explain what you have been speaking of?—Yes, I have a watch here marked "William Ellamy, Waltham" (*producing the same*), and I have a watch marked in an English shopkeeper's name on the dial, a watch that is a Waltham watch (*producing another watch*), and I have a Swiss watch here which is marked with a well-known maker's name (*producing another watch*).

Sir Patrick O'Brien.

3011. Have you one of your own watches made upon the model of the Waltham watch?—I have not.

3012. You

*Chairman.*

3012. You have shown us three watches; did you buy those watches, or how did you become possessed of them?—One of the watches I sent a gentleman to purchase, because it was ticketed up in the window as an English watch.

3013. Do you produce the ticket with which it was sold?—I do (*producing the same*). I told the gentleman whom I sent to purchase it not to bring me the watch without the ticket.

3014. When the watch was sold was the ticket on?—Yes, on when it was bought.

3015. This is a watch sold with a ticket stating that it is an excellent English silver lever, extra jewelled, four guineas, warranted; is that an English watch?—It is a pure Swiss watch movement, and a Swiss-made case and hall-marked at Chester.

3016. You say that you bought that watch with that particular invoice with regard to it?—Yes, I sent a gentleman to buy it. It would not have been sold to me, except as a foreign watch, because the shopkeeper would have known me, but he sold it to the man whom I sent.

3017. It is a silver lever watch, "by Russell & Son, Liverpool, No. 99,628"?—Yes, on the invoice.

*Mr. Onslow.*

3018. It may mean examined by Russell & Son?—Yes; but the public do not know that.

*Chairman.*

3019. You being an expert tradesman in dealing in those articles, what would you understand as the meaning of the words, "by Russell & Son, Liverpool, No. 99,628"?—I, as a watch manufacturer, would know that they did not make it in this country, but if I were merely a purchaser, and not understanding anything of the trade, I should buy that watch from another seller, and take it for granted that it was a watch made by them in Liverpool.

3020. Supposing this watch, which is invoiced at four guineas, with all those marks on it, had not borne the English hall-mark on the case, what would have been the current rate for it in the market?—I have sold a great many Swiss watches in my time as Swiss watches, exactly like it, or I should say exactly of a similar make, for 32 s. or 35 s., which would be sold in a retail shop at 50 s., or at the outside 55 s., if it bore no hall-mark with this self-same movement.

3021. That is your evidence, that a watch which you produce as having been purchased at four guineas, would, had it not borne the British hall-mark, and had it been sold as it is, as a foreign watch, have been sold at 55 s.?—Yes, from 50 s. to 55 s., or thereabouts.

3022. If that happens in England, of course it happens elsewhere?—I believe that the practice generally is carried on more in the colonies than in England.

3023. As I understand, what you complain of is, that the English authorities should be compelled to affix to a watch case not made in England a stamp which not only warrants its value in metal, but gives it what it is not entitled to, the currency of having a British origin?—Yes.

*Mr. Orr Ewing.*

3024. Did you purchase the other watches in the same way?—No, that is the only one which I caused to be purchased; the other watches I

*Mr. Orr Ewing—continued.*

either had out of my own stock or bought them from personal friends. I have a watch here which is the best goods made in Switzerland, and is not hall-marked; this is the most expensive watch turned out in Switzerland (*producing the same*), and it has the Swiss control mark on it, and that is just as sufficient a guarantee of the quality of the metal as our own mark.

3025. And there is on the face of that watch no pretence of its being an English watch?—Decidedly not; they sell it upon its merits, and the name of the maker is sufficient to sell it.

3026. If anybody wanted to know the value of the gold, they could see it by the Swiss mark?—Yes.

*Mr. Onslow.*

3027. Your objections against the present system of hall-marking are on account of the fraud which is perpetrated afterwards by the watch seller?—Yes, by the watch seller on the public.

3028. Supposing that there were some means of obviating this fraud, would you still object to the hall-marking?—With our English hall-mark, decidedly.

3029. If there were some means adopted by which you could stop the fraud upon the public on the part of the watch seller, after those watch cases had been hall-marked, would you still object to the system of hall-marking at present in vogue?—You could not stop the fraud in all cases, if you still gave them the English hall-mark as it now stands, because you might put any name that you liked upon the watch; whereas if it did not bear the hall-mark, the public would know that it was not an English watch.

3030. You say that the sellers of watches now sell these Swiss watches as English watches, instead of as Swiss watches, on account of this hall-marking; is that confined to the watch-sellers in London?—I do not know much of the London trade. I travel in the north of England chiefly; I know more about that part, and I know that they bring them there, and it puts an enhanced price on Swiss watches with the hall-mark on them.

3031. Would you get a Swiss watch of a good maker, that is to say a man who is well known, cheaper than you would get an English one?—You would get a Swiss watch if it did not bear the hall-mark upon the case at its genuine price; that is a cheap price, one-third less, than one that bore the hall-mark on the case, that is, generally speaking.

3032. I am talking of those which have the hall-mark?—Wherever they bear the hall-mark they generally go in for the better price, one and all of them, so far as my experience has gone; I cannot speak of those whom I have not come into contact with.

3033. Your experience is confined to what towns?—To every town north of Sheffield to Newcastle-upon-Tyne, of any importance.

3034. You would make no exception from your knowledge of the trade?—The people that I have come in contact with, I know do it generally; they tell me that they must do it as a protection, although they themselves sometimes object to it, because people advertise levers, and they say, this is the price, which will be 1 l. above the Swiss price, and 1 l. below the English price; the shopkeepers must do it to compete with the people

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*Mr. Orslew—continued.*

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people that resort to those practices; they have to do it in self-defence.

3035. You think that if they put the genuine price of those watches, and by "genuine price" I mean the lower figures which you have given us, there would be no sale for those watches, if they were sold as cheaply as 50 s.?—I do not say that there would be no sale for them, for there is a sale for them now, I think, but no sale for them as Swiss watches with English prices.

3036. What would be the difficulty in a dealer putting a lower price on them, and selling them at that lower price?—So long as they get the hall-mark upon them they sell them at the hall-mark price, and if they did not have the hall-mark upon them they would have to sell them at a cheaper price, or else they would not sell them at all; that is the point.

3037. But you say that they sell them at these enhanced prices on account of the hall-mark; if this price is excessive, and the watch would be just as good, I suppose there would be no difficulty in their selling them at a lower price?—No, they could do so if they liked.

3038. Supposing that a man of note in Leeds or Liverpool were to set the example, do you think that others would follow him?—I do not know that I can speak about that; I could not specify what people might do or might not do.

3039. On the whole, I understand you to say that you do not approve of the present system which is in vogue?—The present system of hall-marking foreign watches, I do not.

3040. You mean the system of selling them at an enhanced price?—The system of selling foreign watches, and leading the public to think that they are English.

3041. The one goes with the other, I presume?—Yes.

*Mr. Torr.*

3042. You have read this Bill, have you not?—Yes.

3043. Are you satisfied with it?—It is a very good Bill, but I do not think it goes far enough to meet the case.

3044. Do you know that the simple object is to prevent the hall-marking of foreign manufactured goods; that is good so far as it goes, is it not?—Foreign manufactured cases.

3045. In what direction would you have it extended?—I would withhold the hall-mark from any foreign watches.

3046. In an English watch, the case is the only part which is stamped, is it not?—When I allude to the watch in the case, I mean the completed article. As I believe Mr. Prideaux states in his report to the Committee that a case is not a complete article, it is simply an adjunct to a thing of much greater value. A man having 100 cases to-day for sale, would find no market for them at all, unless they were made for a movement of a special size, thickness, and make.

3047. I would ask you again, in the case of an English watch, the hall-mark only applies to the case?—The hall-mark applies to the watch as far as the public is concerned; of course, it is only stamped upon the case.

3048. Then in the manufacture of an English watch, would you have the hall-mark applied to the works as well as to the case?—I would leave it as it is now, so far as English watches are concerned.

*Mr. Torr—continued.*

3049. How could you prevent the putting of foreign works into English cases?—By what has been said by previous witnesses, namely, by putting a penalty upon the seller.

3050. You say that the stamping of the case with the English hall-mark gives a fictitious value to the watch?—Yes, it gives an English value to a watch which is one-third above its genuine value.

3051. And it also interferes unduly with the English manufacture, does it not?—Decidedly.

3052. Has it not also the effect of degenerating the manufacture of English watches, through anxiety to compete with foreign watches inducing you to make a cheaper and worse article?—Decidedly; it will ultimately, I think, tend to degenerate the manufacture.

3053. As being the only means that you have of competing with this cheaply made article, you must reduce the quality of your own manufacture?—Yes, decidedly, if we want to sell the English article; if we have this false competition, we must either reduce our quality or put a stop to this false trading; it is not legitimate honest trading.

3054. It is not merely making a loss, but it has a serious and damaging effect upon the manufacture of English watches?—Yes, upon the prestige of English watches.

*Mr. Muntz.*

3055. You are aware, of course, that the mark merely indicates the value of the metal?—To the trade.

3056. It indicates the actual value of the gold or silver, does it not?—The stamp of the hall denotes the actual value of the metal to the trade, but to the public it denotes the nationality of the article.

3057. But you are aware that other articles are stamped as well as watches?—Yes.

3058. Would you make a distinction specially for watches?—But other articles do not bear inferior work as the watch cases do.

3059. Supposing that a gold bracelet were stamped, and afterwards false stones were put in, would not that be inferior work?—False stones would not be sold as diamonds, because a man could take the bracelets back and say that he had been defrauded.

3060. Could not he take a watch back?—No.

3061. Take this invoice which you have just handed to the Committee, and look at the name of the watch sold there, which is evidently not one of Russell's watches; Russells are very respectable people in Liverpool, are they not?—Decidedly so.

3062. If a man sells that watch as made by Russell & Sons, of Liverpool, that is a fraud, is it not?—It is not by Russell & Sons of Liverpool.

3063. They say so there?—Yes; it may have been examined by them, or made for them abroad.

3064. Then the party who sells it would be liable to an action, or even to a criminal indictment?—No; Russells have, I am told, a place in Switzerland where they make those watches. After the man has sold the watch he may tell the purchaser of this, but there is no taking the watch back, I think.

3065. Supposing that he applied to Messrs. Russell,



*Mr. Muntz—continued.*

Russell, and asked whether they made that watch?—I believe that the watch was made by them, but not in this country, and supplied by them to this shopkeeper, or else he could not have made out an invoice like this.

3066. Then it is not a fraud?—Messrs. Russell never made it in England; they supplied it, but did not make it here.

3067. Then they connived at the rascality?—No; that I am not going to say.

3068. What is the value of the gold in those watches before you: is it 18-carat?—The value of any Swiss watch which is stamped with 18 K, the same as that watch, is equal, in every sense of the word, to an English 18-carat gold watch.

3069. You are aware that our English gold has a standard of 15 carats?—Yes, and even nine carats.

3070. Do you approve of those low marks, nine to 12 carats?—I do not remember selling above six since I have been in business, so that I do not think that the public generally approve of them.

3071. If there was nothing allowed to be stamped under 15 carats you do not think that the public would lose much?—I do not think that the public would regret it if there was nothing allowed to be stamped under 18 carats.

*Mr. Thomson Hankey.*

3072. Then I understand your wish to be to prevent the hall-marking of any watch-case containing, or intended to contain, foreign works?—Yes.

3073. Would you wish to have an inquiry made by the hall when a watch-case is taken to be hall-marked as to what kind of works the owner of the case intended to put into it?—You would do away with that if you did, as was suggested by several witnesses, namely, put a penalty upon the sale.

3074. Would you wish inquiry to be made?—If there is any suspicion.

3075. Not unless there is any suspicion?—No.

3076. If a man brought a hundred or a thousand cases to be hall-marked, you would not wish any inquiry to be made as to what he was going to do with them?—The hall would know by the name which was registered in the hall whether the man was an English manufacturer, and from that they would form their own conclusions.

3077. How would they know that he was not going to export?—They would be of no use to be exported.

3078. Could not he get the drawback?—There is no drawback upon watch-cases.

3079. Is there no duty on them?—No.

3080. Then you think it is not likely to occur that any fraud would be committed by English watch cases being brought to be hall-marked, although they were intended to be filled with foreign movements?—No.

3081. Do you consider a Swiss watch of equal cost to be inferior to an English watch at a given price, say 10*l.*, that is to say, can you buy as good an English gold watch as you can a Geneva watch?—Yes; and one that will last and do as much and more service.

3082. Do you think that the English watch trade can fairly and fully compete with the Swiss trade?—Yes, if it is on its own merits.

3083. There is no fear of competition then?—

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*Mr. Thomson Hankey—continued.*

No fear at all; that is to say, there was no fear for a number of years; until those hall-marked cases were introduced I think no one ever complained. Swiss watches were sold by tons, I may say, but they never interfered with the English trade in any way. They found their market with their price in the country, and we had ours.

3084. I do not understand what you mean by saying that they never interfered?—I meant to say that they never were sold as English work.

3085. But they competed, inasmuch as 10,000 Geneva watches were introduced, and unless they created a fresh demand they must have interfered with the sale of 10,000 English watches?—I do not see that, because the Swiss watches sold in those days were watches which we never troubled to make; a cheap watch with a metal dome, and a metal bow, and about 4*s.* worth of silver in the watch; that watch was sold to the public for 15*s.* or 20*s.*, and that is a watch which we never tried to compete against.

3086. If I wanted to invest 5,000*l.* in watches to go out to South America, the ultimate question is whether I should do as well by buying English watches as by buying Swiss watches?—That depends upon the sort of trade that you are in; perhaps if you were going into the watch trade in South America you would require both articles.

3087. I understand that you do not think that the Swiss trade does really interfere with the English trade?—Not at all, when the watches are sold as Swiss watches.

3088. Then there is no necessity for protection?—We do not want any at all, only from fraudulent practices.

3089. Do I understand that you think that this Bill, as proposed, would do any good to watch-case makers?—I am not a watch-case maker.

3090. Or to watch manufacturers?—The Bill would do no good, because it would not stop fraud.

3091. What you really wish is to prevent the sale of any Swiss watches in England if put into English cases?—Yes; if put into English cases and cases bearing the English hall-mark. We have no objection to their having their cases made here, provided they will take them home and stamp them with their own stamp.

*Mr. Freshfield.*

3092. Do you say that this Bill, if made law, would not prevent fraud?—I do not think it would.

3093. Then what is your love for this Bill, if you are in favour of it?—The Bill does not go sufficiently far to put a stop to fraud.

3094. But you are in favour of it as far as it goes?—I cannot say that I am.

3095. You know that this Bill prohibits the marking authorities from marking foreign watch cases, and you know that it makes it illegal to have that done?—Yes.

3096. You know, probably, that the marking involves the payment of a duty to the Government?—Not being a case maker I cannot tell the exact sum paid per case, but I am informed that it is 4*d.* for a silver case, and 1*s.* 6*d.* for a gold case.

3097. Do not you think that the fraud which

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you

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you complain of might be prevented by the use of a distinctive mark?—If that distinctive mark did not contain any mark that is now known as the English mark; that is to say, the lion or the leopard's head, or the wheatsheaf, or any of the known marks which are now looked upon by the public as the English mark.

Sir Patrick O'Brien.

3098. Say a horse?—Yes, or as one of the witnesses said, stars and stripes.

Mr. Freshfield.

3099. Supposing that were the foreign mark?—The foreign mark would be and could be as easily taken out as you saw last week.

Sir Patrick O'Brien.

3100. You said that you would stop the sale of foreign cases enclosing English works by a penalty?—By a penalty upon the vendor.

3101. Would you levy that penalty where the works were united?—That depends upon what you would call mixed works.

3102. What is an English watch and what is a foreign watch; do you think there are any English watches made with Swiss mainsprings; and may I ask where it begins to be a foreign watch and ceases to be an English one?—The only answer I can give you is that the only two articles that are ever used in an English watch which are of Swiss make, are the spring and the chain, the outside value of which I do not think is a shilling. The chain in nine cases out of ten is English. I might also mention that this very chain which has been so much spoken of, is not used in Swiss watches at all. It is made exclusively for English watches. It cannot be, therefore, called an article belonging to a foreign watch.

3103. May I ask you as a matter of fact, generally, in the trade, are no other portions of a watch of foreign manufacture used by the makers of English watches than those two articles?—We have not used any other.

3104. Are you aware that they are used?—I believe that they have been used in the trade.

3105. I will assume a case in which they have been used and were inserted in a foreign case, and marked with the English hall-mark; would you inflict a penalty in such a case?—Whenever they were placed in foreign cases and marked with the English hall-mark, I would.

3106. I am assuming this to be so; in this new state of society that would arise you would do that?—I would inflict a penalty just the same.

3107. When would you inflict the penalty; how much should be Swiss to make it liable to a penalty?—If the plates were foreign, and other parts of the movement were foreign, I would inflict a penalty. As I have explained about the spring and the chain, I think if the Act rendered it illegal to use foreign springs and chains, they could be made in this country to supply the demand.

3108. You made a point with regard to that watch which you caused to be purchased by somebody else at what you have called an English price, and you said that a Swiss watch of similar silver and similar movements would cost about 35 s. wholesale, or 55 s. retail; what would be the outside that an English watch of similar silver and with similar movements would cost?

Sir Patrick O'Brien—continued.

—Very much about the same; perhaps would be a little dearer. The only difference would be that the silver in the English watch would be heavier, perhaps, and the increase of price might be 5 s. or 6 s.

3109. Then the placing of the hall-mark on a first class Swiss watch increases it by the British name a sovereign, I think, you said?—Decidedly.

3110. Then you get by the hall-mark of England, not for the material value of the watch, but for the British name, a sovereign out of the consumer?—Yes.

Mr. Courtney.

3111. You do not care about this Bill, as I understand?—I say that the Bill will not prevent the fraud that the trade complains about, because by getting their cases made in England they can still carry on that practice.

3112. Does not that answer my question, that you do not care about the Bill as it stands?—I said that the Bill does not go far enough thoroughly to stop the fraud we are complaining of.

3113. You retract the other words, as I use them, that you do not care about the Bill as it stands?—I said that I did not think that the Bill as it stood went far enough; I think that is what I said; if I said anything further I will adhere to it; I did not think that the Bill as it stood would stop the fraud that we complain of; that, at least, is what I meant to say.

Sir Joseph M<sup>c</sup>Kenna.

3114. I may tell you that I am strongly of opinion that foreign manufacturers ought to get the English hall-mark as the registered standard of the value of the metal in the watch-cases; but I suggested to one of the witnesses here, and I suggest it now again to you, that if there was established at Goldsmiths' Hall a British hall-mark of a wholly distinctive character from that now applied, and which are now ordinarily applied in the case of articles of British manufacture, do you see any objection to giving to the foreigner, on the same terms as to the English maker, some such distinctive British hall-mark?—Do I understand you to say that this distinctive case that you speak of shall contain movements made where the case was made?

3115. No, there is nothing whatever in this suggestion to do with that case; I suggest that a foreigner coming here to get a watch-case hall-marked should declare that it was a foreign case, but having stated that it was a foreign case, it should be assayed to test its value, and have, say, a horse's head imprinted on it?—I should not object to that, provided that besides that horse's head, there was no mark which is now known as an English mark.

3116. My proposition is this, that we should give him a new mark which could not be tampered with with impunity; if we could give him a distinctive foreign hall-mark of that nature, which would nevertheless be the English hall-mark for purposes of assay, do you see any objection to that?—No, not, as I say, if it did not contain any mark except the single mark which you speak of.

3117. It might contain any distinctive marks that people pleased in addition to that, but it would

Sir Joseph M'Kenna—continued.

would contain no mark such as is at present given to the British manufacturer?—You mean such as the lion or the crown.

3118. That would prevent the possibility of the mark being changed to the ordinary English mark by removal; do you see any objection to that?—No.

3119. Do you not think that would on the whole be the best way of getting over the difficulty?—I can only speak for myself; there are a number of gentlemen who have held a different opinion upon that matter; my own view is, that if you say that a case should be stamped

Sir Joseph M'Kenna—continued.

simply with a horse's head, and nothing more, meaning that this said case should contain movements of foreign manufacture, that would thoroughly put a stop to all fraud.

3120. What objection is there to my adding "1878" to the horse's head?—None.

3121. With the horse's head and the date you would be content?—Yes.

3122. Or with a stag's head?—Yes, or with a bow and arrow.

Chairman.

3123. And the maker's initials?—Yes.

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Mr. THOMAS BUCKNEY, called in; and Examined.

Chairman.

3124. I UNDERSTAND you are a partner in the firm of Dent and Company, of 61, Strand, and the Royal Exchange?—I am.

3125. Your firm desired to give some evidence before this Committee on the subject at present under consideration; will you tell us what your business is first of all?—We are makers of watches, and retailers.

3126. You also, I think, deal in clocks?—Yes, we are makers of clocks and chronometers.

3127. And mathematical instruments?—Nautical instruments, ships' compasses, and so on.

3128. You are makers and retailers; where do you make your goods?—We make at 61, Strand, and also Gerrard-street, Soho, where we have workshops.

3129. Do you deal in foreign-made watches as well as English?—Yes.

3130. So that your experience covers the whole subject that we have been inquiring into?—I think so.

3131. Has your attention been called to the Bill before the Committee?—Quite recently; within a week only.

3132. What is the view of your firm on this subject of allowing the English hall-marking authorities to assay and to stamp with the British hall-mark watch cases made abroad?—I think that a distinctive mark should be used; I myself would prefer to see all foreign-made cases hall-marked if it were possible, because it would guarantee to the purchaser the quality of the gold; but it is impossible in many cases to hall-mark finished foreign cases that come here; but watches are being made up in imitation of English watches, and the British hall-mark is placed upon them; I see no objection to these cases being hall-marked, but I think that a totally distinct mark should be used.

3133. An honourable Member has suggested a mark something like a horse's head, which would not include the leopard or the lion passant, or any other English mark; is that what you mean to suggest?—I think that a mark which is totally different from the one at present in use would answer the purpose.

3134. That is, if I understand your view, it would not reduce in the trade the guarantee of the quality, but at the same time it would prevent the palming off from any motive on a customer in this country as a British-made watch that which really has a different origin?—That is exactly what I wish to convey.

3135. Is that the view of your firm?—I can only speak for myself because my partner is

Chairman—continued.

abroad, but I have no doubt that he would concur with me.

3136. So far as your experience goes in dealing with those watches, do you think that the time has arrived when some legislation of that kind is desirable or necessary?—I think so.

Sir Joseph M'Kenna.

3137. You consider that the case would be fairly met if the foreigners got a hall-mark, but of a distinctive character; that would not lead to the works that were afterwards inserted in the case being mistaken for English works on account of the character of the mark on the case?—Quite so. The hall-mark, as used on the case at present, has got to be considered a mark indicative of the nationality of the watch.

Chairman.

3138. As a certificate of origin?—Quite so. I see no objection to the quality of the gold in a foreign case being certified by our English hall, but I would put a different mark upon it.

Mr. Courtney.

3139. Have you seen the present Bill?—I have.

3140. Does it go so far as to realise what you desire?—I think not. I think there is nothing said in the Bill about putting a distinctive mark.

3141. But the present Bill would not prevent foreign works being put in an English-made case, would it?—No; and I do not think it would be possible to do that.

3142. Would there be any great advantage in legislation for that purpose?—I think it would hardly be necessary. Those watches of foreign make that are put in foreign cases and hall-marked here, are no doubt made for the purpose of ultimate misrepresentation, and they get sold to the public probably as English watches. If, by adopting a distinctive mark for foreign-made cases, you compelled the foreign manufacturer to use English-made ones in order to obtain the recognised English mark, you would reduce, to a considerable extent, the profit on the transaction; you would make the process much more expensive. This might not be a total remedy, but the evil would be rectified to a great extent.

3143-4. Do you think that those watches are represented as English-made watches when they are sold?—I think that they are made specially for that purpose. I have got two watches in my pocket, one which I got from a Swiss manufacturer which is hall-marked, and the other I got from

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from my brother, who is a London manufacturer (*producing two watches*). This is an ordinary Geneva watch of good quality, a Swiss watch entirely, and so sold (*pointing to one of the watches*); and that is a London-made watch (*pointing to another*) as it would be sold by a manufacturer; and that is a Swiss watch (*producing another*) which is made in imitation of it.

Chairman.

3145. You have got a genuine English watch, a genuine Swiss, and an Anglo-Swiss imitation? —Yes.

Mr. Courtney.

3146. What is the difference in the cost price between those two?—Very little. I cannot tell how the Swiss manufacturer can find purchasers for his as against the other.

3147. Are many of those watches brought into this country?—I believe that the number is increasing very rapidly, but of my own knowledge I do not know.

3148. Do you think that they can compete, although you do not understand how?—I think they get sold in the country.

3149. What is the difference in value?—The difference in the prices asked is comparatively small. I should think about 3*l*.; but I think the Swiss manufacturer here asks a high price. Those Swiss watches are brought into England with the plate left blank so that the name of any English maker may be put upon them. Those cases are hall-marked here, and then sent abroad to be finished off. We have no guarantee that the watches come to England at all. They may have the name of well-known English makers put upon them, and be sent abroad to the colonies or to foreign countries and be sold as English watches, and therefore damage the man whose name happens to be put upon them. That, I believe, is done to a very large extent.

3150. Would not it be possible to do that with an English case?—No doubt; but then an English case would be so much more expensive that I do not think that it would pay, and therefore it would not be done to such an extent.

3151. You think that in those cases they are sold in the country as English watches?—I think so.

3152. Would not a purchaser be able to bring an action for damages for misrepresentation?—I do not think that he would find it out.

3153. Perhaps the damages, if properly assessed, would be nothing?—I scarcely think that they would be sufficient to induce him to take legal proceedings.

3154. Have you ever heard of a case of a man taking an action against a watch seller?—I heard of it in this room. I had not heard of it before.

3155. You said, did you not, that there was an increasing necessity for legislation?—I think so.

3156. On what ground do you think so?—Because I see a great many of those watches in circulation.

3157. Presumably at a price cheaper than an English watch?—Yes.

3158. So that the purchaser gets a cheaper watch?—Yes. There is no doubt that the purchaser suffers ultimately.

3159. It does not follow that he suffers because he gets a cheap watch?—But he has to pay a great price for it.

Mr. Courtney—continued.

3160. What is your feeling with respect to voluntary hall-marking; supposing it were made altogether voluntary?—I would much prefer to see the system of hall-marking retained. We do not make our own cases. We get our cases from other men; we see the hall-mark stamped on them and we know that they are of the proper quality.

3161. If the hall-marking were voluntary, you could, of course, require that your makers should have them marked before being brought to you? —Yes; but then I would place all watchmakers or dealers in watches upon the same footing. They would be bound to use gold of the same quality by being hall-marked.

3162. But that is not a gain, is it; a man may be content with an inferior quality?—He can have it now if he chooses.

3163. But if you have got one criterion available if it is desired, why do you wish to have it made compulsory?—It has been compulsory for very many years, and it has got to be a mark that is known to be attached to an English watch. I do not think it desirable to make any alteration.

3164. Then that shows that it would be kept on even if it were voluntary?—Yes, I think it would.

3165. Why are you afraid of trying the experiment?—Really I cannot tell you; I have not thought about it very much.

Mr. Orr Ewing.

3166. The hall-mark is a security to the public, is it not?—No doubt.

3167. What would be the benefit to the maker if it were voluntary?—I do not see any benefit to him; I wish to continue it compulsory.

3168. It would be a change without any advantage to the public or to the trade?—I think so.

3169. The hall-mark is very inexpensive, is it not?—Yes.

3170. What you want is to have a distinctive mark upon the English and upon the foreign manufacture, as a security to the public, and to prevent the foreigner palming off his manufacture as of English make?—Yes, quite so. That, I think, would meet the case entirely.

Mr. Whitwell.

3171. Do you see any disadvantage in allowing the dome to be made of another metal than gold? —I do not see any advantage in it.

3172. Do you see any disadvantage if the public understand that they get a metal dome other than gold?—No.

3173. Is it a common practice in London for watch dealers to get their watches made in Coventry, and impressed or marked with their names?—It is a practice which is not uncommon; we do not do it ourselves.

Chairman.

3174. To sum up your evidence as to what you have been asked as respects this Bill, you see the Bill proposes to prevent a foreign watch-case being hall-marked at all by any English assay authority; I understand you to say that you do not think it necessary to go so far as that, but you do think it necessary to have foreign watch-cases distinguished by some mark which would not be mistaken for the English mark?—Yes, I think that is so.

3175. And

*Chairman—continued.*

3175. And then upon the other point which many witnesses have pressed upon the Committee, some go so far as to say that they would not thank the Committee for the Bill without it said that no English hall-marked watch should be sold with foreign works in it; in your judgment that would not be feasible?—I do not think it practicable to carry that out.

3176. Even if a penalty were put upon the seller?—No; I think that that is a matter that you must trust to the respectability of the dealer.

3177. You know that, as an English dealer, you cannot sell an English watch unless it is gold all through?—Yes, precisely so.

3178. You are liable to a fine if you do?—Yes, there is some punishment or penalty.

3179. That is a law which is more or less enforced?—Yes.

3180. You have not free trade in watches since you cannot sell a watch, for instance, with a metal dome?—No.

3181. And the law is effective for carrying that out?—Yes.

3182. Supposing the law were that you could not sell an English hall-marked watch with

*Chairman—continued.*

foreign movements in it, why would there be any more difficulty in enforcing that law than in enforcing the law which you are already subject to without complaint, supposing that it were advisable?—It would be a question of degree. There are in almost all watches some foreign materials or work.

3183. Your answer is not on the practicability of enforcing the law; your evidence rather relates to the expediency of making such a law than the difficulty of enforcing it, does it not?—No. I think that it would be impracticable to enforce such a law.

3184. It would be at least as practicable as that of enforcing the present law as regards the English watch-making trade, would it not?—I am afraid not.

3185. Why not; do you mean that there might be a question as to what amount of foreign material would bring the watch into the category of foreign movements?—Yes.

3186. But if that were defined then that difficulty would go?—Yes, but I think it would be a difficult matter to define it.

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Mr. THOMAS H. FARRER, called in; and Examined.

*Mr. Talbot.*

3187. You are Permanent Secretary to the Board of Trade?—I am.

3188. I think you have put in a paper with regard to this subject?—I have put in a digest of the existing Statutes; it requires some revision, but it is, I believe, substantially correct.

3189. I think you are prepared to give the Committee information, first, on the subject of hall-marking, and then on the subject of duty?—I propose to do so.

3190. Taking the hall-marking first, do you think that the hall-marking and the duty are intimately connected?—I do not see how the duty is to be maintained without the hall-marking. Without hall-marking you have no standard, and no means of collection.

3191. Do you think that the trade desires to maintain hall-marking?—I think it is clear upon the evidence which has been given to this Committee that the trade desire, on the whole, to retain the hall-mark.

3192. Would you give the Committee the reasons for which you think they wish to maintain it?—It seems to me, so far as I can gather from what they have said, that there are three or four reasons. First, that there is a certain convenience to them in buying and selling old silver; it saves some trouble in inquiry and assay. Secondly, that there is habit and custom, which goes for a great deal in all trades. Thirdly, silver plate (for gold we may put out of the question), is treated as a sort of investment; they say that silver is a thing which has a value in itself, independent of the workmanship, and therefore it is desirable that, as a permanent investment, without reference to fashion, it should be treated by buyer and seller, should have something which is ascertained to be of a certain fixed value. Fourthly, I think we gather, although it has not been stated in so many words, that the trade like hall-marking because it operates protectively. It discourages foreign goods, and it also

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*Mr. Talbot—continued.**Mr. Farrer.*

keeps out the competition of work of inferior metal. Mr. Garrard gives as a reason for it, that it "ensures fair play between all rival manufacturers, by compelling all to use the same quality of material." It seems to me, with regard to this last reason, that it is very much as if we required all bread, all meat, all silk, all cloth, and all iron, to be of one quality, and then called it fair and free trade. It assumes the very question at issue, viz., whether it is essential that silver should be all of one standard; and it ignores the real meaning of free trade, which is, that seller and buyer should both be free to accommodate each other.

3193. When we are told that without the hall-mark the public cannot ascertain whether what they buy is genuine silver or not, what would you say in answer to that?—What I say with regard to that is that what they say about silver and gold having substantial value in itself is in itself in some measure an answer to that argument, because with regard to gold and silver nothing is more easy than to make a special contract that they shall be of a certain quality, and nothing more easy than to assay and try that quality, and return the article to the seller when it is found not to be of the quality. The public have not that remedy in the case of ordinary goods. If I buy a watch I have no means of assaying its quality; if I buy a silver article, I can assay it, and if it is not of the quality which it is supposed to be, I can return it to the seller.

3194. If you take the trouble to do so?—Yes, of course.

3195. I think you have given us the reasons in favour of hall-marking?—I have given what appear to be the reasons given in favour of it.

3196. Will you give any reasons that you may have against compulsory hall-marking?—First, it is an anomaly. There is no other manufacture subjected to a similar test, where profit and convenience alone are concerned. In the case of testing

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testing of ships' chains and anchors, and of gun barrels, compulsorily, safety of life is concerned. They are both tested by law; and the testing of chains and anchors is, I believe, questionable in its results. The testing of gun barrels I know nothing of, but according to the evidence which was given before the Duke of Somerset's Committee the result of compulsorily testing ships' cables and anchors has been questionable in its results in time past. But however this may be, those were both matters concerning the safety of life. In matter of adulteration of food, where health is concerned, other steps are taken. *Caveat emptor* with penalties, civil or criminal for fraud and misrepresentation, is the usual practice. I think it is not difficult when we look into the history of this matter to find a reason for this anomaly. In the first place there have always been great facilities for fixing a standard for the precious metals and for assaying them. In the second place there was a sort of superstition about gold and silver, as the metals of the King's coinage. The very term "base metal" implies that this depreciation of gold and silver articles was like depreciation of the currency. It was thought essential that gold and silver, whether in the currency or not, should be of sterling value and quantity, and it was thought also that they should not be alloyed, imitated, or exported. It is very curious, in looking through the statutes that Mr. Prideaux has given us, to see how this is carried out through them. We have, for instance, in the year 1300, the statute of the 28th of Edward I, which says that sterling silver shall be "of the sterling allay or better; and that none work worse silver than money." Again, in 1363, in the statute of the 37th of Edward III., we find this: "That goldsmiths, as well in London as elsewhere within the realm, shall make all manner of vessel and other work of silver, well and lawfully of the allay of good sterling." In 1423 we have an Act of the 2nd of Henry VI. c. 14, which "ordains, that no goldsmith or worker of silver in London sell any workmanship in silver unless as fine as sterling." In 1477, a statute of the 17th of Edward IV. c. 1, directs "that no goldsmith or worker of gold or silver shall work, or put to sale, any gold under the fineness of 18 carats, nor silver unless it be as fine as sterling." And a statute of Henry VIII., in 1488, recites, "that everything might be reformed to the right standard, as well in money as plate, to the least cost, for the weal of the King's noblemen of the land and common people." Then it goes on to say, "but now that such finers and parters dwell abroad in every part of this realm out of the rules aforesaid, and buy gilt silver from the mints, changes, and goldsmiths, and part and fine it, and for the most part of the silver so fined they do allay in divers manners, and sell it to every man that will buy of them, to make such works as pleaseth the buyers" (this making such works as please the buyers is, observe, the crime to be prevented), "therefore, men can get no fine silver when they need it for their money." Then it goes on to lay severe restrictions upon the class of persons to whom gold and silver shall be sold. Then we find the same idea in the statutes on the subject of plating and gilding, which were altogether forbidden. In 1327, we find this, the first charter to the Goldsmiths' Company, "That the cutlers cover tin with silver so subtilly, and with such sleight, that the same cannot be

Mr. Talbot—continued.

discerned and severed from the tin, and by that means they sell the tin so covered for fine silver, to the great damage and deceit of us and our people." The charter goes on to give the Goldsmiths' Company power to stop this. Then in 1403 we have a statute of the 5th of Henry IV. c. 13, which says: "That no artificer or other man shall gilt nor silver any such locks, rings, chalices," and other articles, excepting church ornaments, which they seem to have thought might be of copper, covered with silver, provided that a bit of copper was made to appear somewhere. Then in 1420 a statute of the 8th of Henry V. c. 3, ordains "that none shall gilt any sheaths nor metal but silver and church ornaments; nor shall silver no metal but knights' spurs." Coming then to the reign of Will. 3, we find, in 1696, a statute, c. 8, s. 1, reciting that converting silver coin into plate is a crime.

3197. Is that statute repealed?—Yes, that is repealed. Then by a statute of the 9 & 10 Will. 3, c. 19, in 1697, the exporting of plate is forbidden. Even the price of gold and silver is fixed by a statute which is still unrepealed, the statute of the 18th of Elizabeth, c. 15, in 1575, and these are the words: "Nor to take more from customers for workmanship besides the fashion" (whatever that means), "for gold than 12 *d.* per ounce above the Mint price, or for silver than 12 *d.* per pound above the Mint price." Consequently if that statute is in force I think some of the goldsmiths that have been giving evidence here are doing an illegal thing. How to construe that sentence I do not quite know, or what they mean by "for workmanship beside the fashion."

Chairman.

3198. Besides the fashion, probably means besides the fashioning?—It is very difficult to separate the fashion and the workmanship.

3199. But in the archaic old English use of "fashion," fashion in Scripture means making?—But at any rate, however that may be, you see that that fixes the price at which goldsmiths are to sell gold articles, viz., the Mint price, and that statute is in force according to the revised statutes.

Mr. Muntz.

3200. Is not that subject to the statute allowing 9, 12, and 15 carats?—That may affect the construction of this old statute; but the statute is not repealed. What I quote the statute for is to show that the intention was that gold and silver plate should be treated as of the same value as coin in those days. Then the quality of gold and silver in silver wire and silver gilt wire and the manner of manufacture is strictly defined. An officer of excise has to be present and mark the ingots during the time of manufacture. These statutes are still in force, the 15th of George 2, c. 20, 1741, and the 25th of George 3, c. 64, 1785.

Mr. Talbot.

3201. I understand what you imply by all these interesting references to the ancient statutes is that the law of hall-marking would never have prevailed if it had not been for the particular value which attached to the precious metals in olden times?—Quite so; the idea is, that articles made of those precious metals are to be treated in the same way and as equivalent to currency.

3202. With reference to the difference between



Mr. Talbot—continued.

tween gold and silver, we have six standards for gold, have we not?—Yes. As regards gold we may consider that the law of compulsory hall-marking has broken down in all directions, and that practically it does not exist. In the first place, there are six standards for gold, one of those articles containing one-third the amount of pure gold. In the second place, you have exempted from compulsory hall-marking almost all the gold articles that people ever use. You may therefore say that, as regards gold, the law does not exist at all.

3203. Except for wedding rings?—Yes, except for wedding rings.

3204. With reference to silver, all kinds of small goods are exempt, are they not?—Yes; a very large number of small goods are exempt.

3205. Is there any principle which you can suggest upon which those exemptions have gone?—No; I suppose the idea was that articles like chains, which it was difficult to mark, should be exempt, and that people ought not to be plagued with hall marking in buying and selling small articles. But, according to the evidence, a great many of the exemptions really extend to very large articles. I think that one of the witnesses said that in Birmingham articles which are exempt from hall marking are manufactured by the ton.

3206. In fact, hall-marking is now confined to silver plate?—Yes, it is confined to solid silver plate, including watch cases.

Chairman.

3207. To gold and silver watch cases?—Yes, and wedding rings. A further point showing how the law has broken down is to be found in the present freedom of trade in plated goods. If it is intended really to give the public protection in articles of this description, it is extremely absurd to give protection with regard to silver articles and not to give the same protection with regard to electro-plate articles, which answer precisely the same purpose, and which, if I understand one of the witnesses, are sold to the extent of four millions a year.

Mr. Talbot.

3208. You think that if people wish to be protected as to the quality of silver, you ought also to put the hall-mark upon electro-plate?—Yes, quite so; there is according to the evidence nearly as much difference as six to one in the quantity of silver put upon the different kinds of electro-plate. So much for the anomaly of the present law of hall marking.

3209. Do you consider that the hall-mark is really valued as a protection to the buyer?—I much doubt it. A second objection to the system of hall-marking is that it has caused, I think, great confusion in the minds of the trade as between the hall-mark and the trade-mark. The proper notion of a trade-mark is, that it denotes a manufacture by a particular person or at a particular place. The proper notion of the hall-mark is, that it denotes a particular standard of quality. These two notions are utterly confounded in the minds of the trade, and the Bill of the honourable and learned Chairman I think confounds these two notions. It seems to me that the confusion is a confusion of great importance. If the hall-mark is simply a mark of quality, as it professes to be, the foreigner

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has just as much right to it as the Englishman. To deny it to him is simple and pure protection. We are told by some of the witnesses that it is perfectly impossible to distinguish foreign watch cases from English watch cases by the quality or manufacture. Why refuse him a hall mark or give him a distinctive hall-mark? The enactment requiring an F, or anything else to be marked on foreign plate, is founded on the same confusion of ideas. If the hall-mark is simply a test of quality, why add a brand to show that the article is foreign.

Chairman.

3210. That is done by the last Act?—Yes, by an Act of the present reign.

3211. And which was passed by the late Government?—Yes, it was one of those clauses that get into an omnibus Customs Act.

3212. That was done when Mr. Peel was Secretary for the Board of Trade?—I will see what was the date of it; but I do not think that it ever came before the Board of Trade.

Mr. Talbot.

3213. At any rate the Board of Trade is not responsible for it?—In no way.

3214. The hall-mark operates as protection of one class of makers against the other?—Yes. That is a further objection. But before leaving the subject of confusion between trade-mark and hall-mark, I should like to mention that I was very much struck by a very curious instance of this confusion, which was contained in some evidence given before the Committee of 1856. Mr. Samuel, who was a watch-case maker in Liverpool, was very anxious to retain the Chester mark, and it was suggested to him that it would be more convenient and simple to have hall-marking in Liverpool, and he said, "Oh, dear no, because everybody knows the Chester mark." He did not deny that it would be more convenient to have watch-cases marked at Liverpool, but he said, "The Chester mark is a trade-mark which everybody knows, and therefore do not let us have a Liverpool mark at all."

3215. I think you say that the hall-mark operates as protection to one class of makers against others?—I think it operates as a protection in different ways against foreigners; if the foreigner has to submit to assay and compulsory marking at home, as he is compelled in France, he is on importing into this country subjected to a double trial, and possibly to different standards; but if he has no hall-mark at home it subjects him to inconvenience and possible loss, to which the English manufacturer is not subject; goods are tested when unfinished for the convenience of the maker; it is more easy to scrape without injuring, and if broken, the labour of finishing is not lost; this cannot be done for the foreigner; and not only that, but if they are sent in, and are found less than the English standard value, then they may be broken up and destroyed. For these reasons I object very strongly to Mr. Prideaux's proposal to make the Customs send imported goods to the Goldsmiths' Hall.

3216. Upon that question of breaking up, do you think it would be possible to have any other mode of checking a defect of the standard than breaking up?—If it is intended that foreign goods of inferior silver shall not be allowed to come in,

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they certainly ought in justice to be returned to the owners, and to be allowed to be exported again; but it seems to me perfectly absurd that foreign goods of whatever quality of silver should not be allowed to come into this country if people choose to have them.

3217. English goods, if found to be under the standard when sent to the Goldsmiths' Hall, to the Assay Office, are liable to be broken up?—Yes, they are.

3218. Would you suggest any more humane mode of treatment than that of breaking up, which is rather hard upon a work of art?—If the compulsory hall-marking is to be retained it would, no doubt, be a very proper relaxation and improvement in the law, that goods should be returned instead of being broken up. That breaking up seems to imply that there is something morally wrong in making silver goods of anything but standard silver, a proposition which I deny altogether.

3219. Might there not be some fine imposed instead of breaking up?—Yes, if it is determined to maintain the compulsory standard at all.

Chairman.

3220. Would a mark with "minus" put upon it, or a mark which would give the actual fineness, meet your view?—That would turn into voluntary hall-marking, because a man would send his work to be marked for whatever it contained. To return to the question of protection. If, as we are told, foreign goods constantly come in without assay and marking, it may operate as a protection to the foreigner against the Englishman. This seems to be actually the case with foreign watches; they ought to be marked, but it seems that they are not, and consequently the present law really protects the Swiss or American maker against the English maker. It restricts not only the quality of the metal to be used by the English maker, but it prevents him from making his goods of silver, unless they are all silver. He cannot make a watch with a metal dome, which seems to me a pure piece of tyranny. If you want to get rid of this protection and leave it open as between the Englishman and the foreigner, and if at the same time you wish to maintain the system of hall-marking, the only way in which you can do it is by getting all nations to agree to a common system of hall-marking, and to a common law upon the subject, and I think it will be a very long while before you can effect that.

Mr. Talbot.

3221. Why do you think it would be impossible to get an international system of hall-marking?—Because in the first place we know how difficult it is to alter a thing of that sort in our own country; and if so, much more difficult to get all other countries to agree to a common alteration. So far as I know from the little I have read of the other countries of Europe, which have a system of compulsory hall-marking, they have standards different from our own; and I think it would be very difficult to get them to adopt one standard. Certain countries have no compulsory hall-marking at all, such as America, and I think you would probably find it very difficult to get America to adopt any compulsory system of hall-marking at all.

Mr. Courtney.

3222. You would have to go to each State in America to do that?—Yes, and in Switzerland the same; in Switzerland it is not a Federal but a cantonal matter; each canton has different laws. In Geneva there is no compulsory hall-marking at all, and in other cantons there is compulsory hall-marking. I think where Switzerland with all its watchmakers and jewellery makers has been unable to adopt one law throughout its different cantons, we should find it rather difficult to get such a law adopted throughout the world. It is possible that the Americans might take a different view from you and say, "We will do without a system of hall-marking altogether." To return to the objection that hall-marking is protective. It operates not only as a protection as between the Englishman and the foreigner, but it operates differentially and protectively as against persons who would make goods of inferior or of mixed metal, and thus restricts the trade and favours the present makers of pure silver. Mr. Garrard has told you that this year, and it was Mr. Samuel in his evidence before the Committee of 1856, when it was proposed to facilitate hall-marking, gave the following as one of his reasons against it: "Because it" (that is giving facilities for marking at Liverpool) "would enable a number of very small mechanics, men of very small means, to go into the trade, and therefore would eventually prevent the working of my factory or any person with capital. We should be unfairly competed with by the small garret-masters" (see Question 2747). I quote that to show how the element of protection enters into all those arguments. My next objection to compulsory hall-marking is what I have referred to already, viz., that it is a serious interference with trade and manufacture, but I wish to say rather more about that. Why in the world should not any article be made of various kinds of metal? why should a teapot or a coffee-pot be made all of silver? why should not it be made with a base metal bottom? we have had mugs made of silver with glass bottoms; why should they not have metal bottoms? why should not a watch have a base metal dome? In the same way if you find that it is suitable for artistic purposes, as seems to be the case in India and America (and you have had evidence to that effect, both with respect to Indian and American goods), to have a different sort of alloy, say silver mixed with copper, why should not you have it? in fact why should not the buyer and seller please themselves? The evil of this kind of interference is, that you do not know what you are preventing. That is the evil in this sort of apparently protective legislation.

Mr. Talbot.

3223. Do you think also that the hall-mark causes deception?—Yes; that is another objection. I very much doubt myself, from one's own experience on the matter, whether the public look at the hall-mark at all as a protection. I am quite sure if they do, they are very much deceived by it.

3224. Do you think that those marks are forged or imitated?—I will read you a passage from Mr. Streeter's book, who has argued very strongly in favour of a more stringent system of hall-marking; this is what he says of the present system: "I have exhibited publicly a collection of genuine hall-marked articles, which presented almost

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almost every variety of ingenious deception. The hall-marked gold wares" (he is not speaking of those which are exempted, but of hall-marked gold wares) "were made so wondrously to personate what they really were not, that the careful purchaser armed with instructions, and using a good magnifying glass, would yet have been deceived. He would have purchased in confidence, and found out the cheat sooner or later;" that is what Mr. Streeter says when arguing for a more stringent system of hall-marking than we have at present. And you have had evidence that at present Goldsmiths' Hall do their work extremely well, as well probably as it is possible to do it.

3225. If the hall-mark remained, is there any objection to the different halls throughout the country remaining?—If they do their work well I should have thought it desirable that there should be as many places where people can get their goods tested as possible, if they are properly managed and under proper supervision.

*Chairman.*

3226. However you are now dealing with the question of the principle involved?—Yes; the fact is that in these matters care in buying the choice of a respectable shop, and if necessary a special contract, will give ten times the security to a purchaser that any hall-mark will. As I have said before in the case of gold and silver, it is specially easy to get this security. In the case of a watch it is not. I have no means of knowing when I look at the works of a watch whether they are good or not; but when I buy a piece of silver, I can say to the silversmith, is this sterling silver? and if he says "Yes," I can have it assayed and tested; but that security does not exist with regard to other articles, and therefore I think people want less security in this case than in other cases. What the law should do is to allow the public to buy what they want, and the seller to sell them what they want, and then hold them to their contracts. If necessary you may have in addition stringent criminal remedies for fraud and misrepresentation. I see in some of the shops now, and I daresay you have seen it also, that a man advertises his goods as of sterling silver; he commits a fraud if he sells them of less than sterling silver, and anybody who buys them and finds that the article is less than sterling silver can recover damages.

*Mr. Talbot.*

3227. Have you anything more to say with regard to hall-marking?—No.

3228. With regard to the remitting of the duty, what have you to say?—That is a question for the Chancellor of the Exchequer. I suppose that at the present time he is not very likely to be able to give up much duty, but I think we must argue this question here as if he were able to abandon it. It seems to me that there are strong reasons against the duty. A duty of from 20 to 30 per cent. paid, it may be, long before the sale recoups the dealer, must operate to repress the trade. I think it is a strong argument against the duty that it helps to keep up the hall-mark; many present will differ from me about that, I know.

*Chairman.*

3229. You agree with the witnesses that it does help to keep up the hall-mark; Mr. Garrard and others have said in evidence, "We look upon the

*Chairman*—continued.

duty as guaranteeing the hall-mark"?—Yes, that is just the reason why I do not like it. I agree as to the fact that if you are to collect the duty, and if the silver is to be of any fixed quality in the first place, and if you have a Goldsmiths' Hall to which the silver is necessarily brought, the present mode of collecting the duty is the best or only mode. But I object to all these things. There are other reasons against the duty. It operates protectively; it operates against new dealers, because every duty of this kind keeps people out of the trade. Then if the duty is enforced against foreign manufacturers, it is protective against them because they cannot get the rebate of 3 *d.* on their unfinished goods, which as you have had in evidence, is more than the real loss to the trade in finishing. If the duty is evaded by foreigners, then it is protective against the English makers who have to pay the duty. Then it restricts English exporters because there is always a difficulty in getting the drawback, and on many articles they cannot get it at all. Then a further reason against the duty is that it is liable to be evaded, and is probably evaded largely. No one can read the evidence before this Committee and not see that there is an enormous quantity of silver goods made on which there is no duty paid. The Inland Revenue trusts to Goldsmiths' Hall, and Goldsmiths' Hall do not seem to consider it their duty to prosecute unless the evasion is brought to their notice.

*Mr. Talbot.*

3230. Perhaps one result of this Committee may be that the duty will be more carefully looked after?—I think the Inland Revenue will find it a very difficult thing to collect this duty more efficiently, and if they do, they will do it by being very oppressive to the trade.

3231. What do you say with regard to the stocks on hand?—I think that difficulty is a little exaggerated; if you give notice of the proposed abolition; besides people will get rid of their stocks. You have had evidence to the effect that in the case of articles in the hands of the great silversmiths, a very large proportion of their value is due to the workmanship, and not to the silver, and it is only upon the silver that they have paid the duty.

*Chairman.*

3232. However, it comes to this, that there is a very large amount of duty-paid silver in stock?—If you give notice, probably the stocks would be very much reduced. At any rate there is this dilemma. If the duty is not oppressive to the trade, the duty paid on existing stocks cannot be large. If the duty paid on existing stocks is large, then the duty must operate very oppressively and restrictively upon the trade.

*Mr. Talbot.*

3233. Do you think that the manufacture of silver is diminishing in England?—It is certainly not increasing; I do not think I need go into those figures; they have been given to the Committee at such length.

*Chairman.*

3234. The evidence comes to this, that the manufacture of silver proper has very much fallen off, although probably the number of silversmiths, including in that term electro-plate manufacturers, has

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has very much increased?—Very much increased; probably the number of small manufacturers has very much increased; the licenses have much increased, but the manufacture of articles of silver plate proper has fallen off. Perhaps you will allow me to put in returns of exports and imports of gold and silver (*delivering in the same*). I have got them made up as well as I can in our statistic department, and the upshot of it is that there is a very small amount altogether of exports and imports; whether of our own manufactured goods or foreign, it is a very small thing indeed, and it looks as if the trade might thrive better if you freed it from all restrictions.

Mr. Talbot.

- 3235. That is what I understand you to say, that you think the trade would improve with the removal of the restrictions?—I have no doubt, on *a priori* principle, that this trade, like all other trades, would flourish much better if it were freed from all restrictions whatever.

3236. What have you to say about the Bill before the Committee?—I have several objections to the Bill; it seems to me that this Bill is founded on the confusion between the hall-mark and trade-mark, which I have already endeavoured to expose. If the mark is simply a test of quality, the foreigner has a right to it; if it is a trade-mark, it ought not to be compulsory. Then I think, secondly, that the Bill would be evaded; persons would make false declarations, and it would be difficult for the halls to detect them. The mark, if valuable, would be forged, and there would be few means of detection and punishment at home, and absolutely none abroad. The case makers admit this when they say, if I understand them rightly, that they want a further law, that no English movements shall be put in foreign cases, or foreign movements in English cases; a thing manifestly absurd; why should not an English maker put his own movements into a foreign case and get a hall-mark, even supposing it to be a trade-mark. Thirdly, I believe in truth, that the public want no such protection as the watchmakers suggest; if they now foolishly look on the English hall-mark as a sign of English manufacture, which is very doubtful, they will soon cease to do so; watches, it is clear, are made of such various parts, and finished in such various ways, that it is difficult to say what is their real place of manufacture; English makers and dealers put their own names on foreign movements; Coventry makers put London marks on their cases; Liverpool makers, Chester makers, and so on. The purchaser who trusts a hall-mark as a test of quality of a watch must be an absolute fool. The hall-mark tells the public nothing; the watchmaker's name on the case tells them that he guarantees the watch; and that is the best guarantee.

3237. It is hardly correct to say that the hall-mark tells the public nothing; it tells them the standard?—Quite so; it tells them the standard of the silver and that it has been tested at a particular place; but absolutely nothing of the watch at all. I think you may leave the public to take care of themselves there. If the hall-mark is only what the watchmakers represent it to be, the public will soon find it out; but I believe the truth to be that the English makers of cases and watches are naturally frightened at the great import of American and other cases, and watches: as

Mr. Talbot—continued.

Mr. Walker says at Question 2281, "We have so many less cases to make" (that is in consequence of the American importation), and they look, as people are apt to do in matters of this kind, to the law as the cause of their trouble, instead of trying to make better and cheaper watches. They look upon the law as the cause of their troubles, and they seek to get a remedy from an alteration of the law. It is always the effect of a law which interferes with trade in this way, that people attribute to the law much more effect than it really has. I believe the real remedy for this would be to make it clear that they are free to manufacture as they please; let them make watches and cases of any material the public like; free them from the hall-mark and all its trammels; and do the same for the foreigner. Remove a foolish restrictive law, which, like all laws of the kind, gets the credit of much more power than it really has. On the other hand, let them have the law concerning trade-marks very stringently applied in their favour; that is, as far as the watchmakers' case is, concerned.

3238. Are you prepared to give the Committee any proposals on the subject of the alteration of the law?—If the hall-mark is to be continued, I should be disposed to think it a good thing to do what Mr. Prideaux has suggested, to free watch-cases from hall-marking altogether. I think that the compulsory hall-marking ought to be discontinued.

3239. Do you think it possible to have a voluntary hall-mark of any kind?—Yes; but there are two alternatives. You may retain the Goldsmiths' Hall, with their statutory standards, and penalties for fraudulent imitation, leaving it to the trade to go to them when they please. Or you may repeal all your statutes, and leave the trade to adopt such marks as they please under the ordinary law of trade marks. That seems to me a question deserving of some consideration. I should be disposed to take the latter alternative. I think you will get into considerable difficulties if you attempt to have a standard, even though it should be one to be voluntarily adopted or not, to which you give the force of law. It would be a question, for instance, whether foreign work should be admitted to it or not; and there is the further difficulty, that it will still be open to a good deal of forgery and evasion, especially abroad.

3240. I understand that you are not very anxious about an alteration of the law at all?—I have got keen upon it as I have looked into it. I thought it a very small trifle at first, and obviously the whole trade is not a very large thing or a very important thing; but looked at as a question of principle, I think it ought to be dealt with on broad grounds.

3241. You are not then afraid of disturbing public confidence by what you propose?—I am not afraid at all. I think that if public confidence exists with regard to watches, and with regard to gold and jewellery, it will very soon exist with regard to silver plate.

3242. Have you anything else which you wish to say upon this subject?—No; I think I have said all that I wished to say.

Chairman.

3243. What you want to bring about with regard to plate and watch cases is the American system

*Chairman*—continued.

system of having no Government mark at all?—Yes.

3244. It is clear that you have carefully read the evidence before this Committee; you have observed, no doubt, that the Americans themselves want a hall-mark?—I have observed that some one American has said that he would like to have it; but that is a very different thing from saying that the Americans wish to have it.

3245. Still, you see that one of the American companies and others, from what we hear, are making watch cases to any extent, and having no hall-mark there; they come over to England to get the benefit of the English one?—Yes; I think it is very natural that they should.

3246. Therefore, coming over here is presumably an advantage to them, or they would not come here to get it?—They would not come here unless they could sell their watches.

3247. And they sell them better with the hall-mark than without it?—Yes; because here people are accustomed to the hall-mark.

3248. Therefore they get a benefit which does not belong to them?—They get a benefit which does belong to them. If their cases are made of good silver, they have a perfect right to the hall-mark.

3249. As I understand, you disbelieve the evidence which has gone to show that the hall-mark is a certificate of origin, if it is nothing else, or has been up to this time?—I think you have had very little evidence on the part of the public. You have had a good deal of evidence from sellers of watches, and from sellers of watch-cases.

3250. But speaking of the public, probably each one of us buys one or two watches in the course of our lives, that is all, and you must go to the dealers to get at what the public think?—Yes; but the dealers see things through their own spectacles.

3251. But it would be impossible in the nature of things, to bring individuals who have bought more than two or three watches in a lifetime?—Yes; that would be impossible.

3252. Therefore you must go to the dealer?—But they know of course only what comes within their own cognisance.

3253. Still you agree that the result of the evidence, if it is to be believed, is that this hall-marking is at least a certificate of origin?—I will go to this extent. I think those gentlemen who have given evidence here think that the hall-mark helps the sale of the goods by leading people to believe in the origin of the goods.

3254. We had a case to-day in point, a watch of the nominal price of which is 55 s., by the English hall-mark being put upon it becomes worth 4 l. 4 s.?—I did not hear that.

3255. It follows from that, rightly or wrongly, wisely or unwisely, but still as a fact, that the English hall-mark is an article of value?—Then I think the first thing that a dealer ought to do is to reform their own practice and not put the London hall-mark upon goods which are made in Coventry or upon goods made in Liverpool.

3256. You are pushing it a little too far, because oddly enough Coventry and Liverpool, which are the two seats of watch manufacture outside London, have never been provided by Government with a hall-mark of their own?—No, but they have Birmingham very close to them.

Q.117.

*Chairman*—continued.

3257. Birmingham is as close as Chester, and as you are aware, in olden times they were compelled by law to send their goods either to Chester or Birmingham?—Yes.

3258. And you are aware that the Board of Trade in its wisdom removed that law, and made all English marks available to English subjects?—I am aware that Parliament did so.

3259. That is quite consistent with my propositions that this is a certificate of origin, is it not?—No. I think the evidence rather goes to show that if it is looked upon as a certificate of origin at all, it is looked upon as a certificate of London origin or Chester origin.

3260. I differ with you entirely, because it has never been proved that a single watch was ever made in Chester since the hall was built, or in Liverpool?—But it is distinctly in evidence that the public think that the London hall-mark applied to watches, shows that they are made in London, whereas they never were made in London, or any part of them.

3261. On the ground that goldsmiths' assay is accepted as a sufficient guarantee, and the most accurate?—I do not think so. There, again, I think that there is a confusion between the hall-mark and the trade-mark. In so far as the London Goldsmiths' Company are entrusted with the assaying in London, it is quite right to get their mark as a test of the value and the quality of the silver, and the Americans would have a perfect right to have that; but if the London mark is used for Coventry watches as showing that the goods are made in London, the English dealer must reform his own practice before he asks to have the English mark refused to foreign dealers.

3262. You scarcely do me justice in suggesting that I confuse between trade-mark and hall-mark; I quite agree that the hall-mark is not a trade-mark; I never asserted that it was; I never thought it was for a moment, and I never said so, nor does this Bill say so, but what the Bill says is this: "Whereas the hall-marks impressed by the corporations authorised by law to assay and mark gold and silver plate in the United Kingdom have by usage become distinctive of articles of British manufacture only, notwithstanding that those corporations are not legally entitled to refuse to mark articles manufactured out of the United Kingdom;" there is nothing about trade-marks at all, and is not that perfectly true, as to the last two years at all events?—I think that is much too broad a statement. Foreign articles have always been marked to some extent. Foreign articles have a perfect right to the hall-mark.

3263. The evidence has been this, that the assaying offices of the Goldsmiths' Company will not recognise any dealers unless he is a British dealer, and will not give him a punch; do you agree to that?—I suppose they must recognise the agent of a foreign manufacturer in this country.

3264. Only in the case of a British subject?—Only as a resident in this country. I am not aware that there is any further limitation in the Act.

3265. Mr. Prideaux says that they would not if they knew it was a foreign watch case?—I am not aware that there is anything in the law that would justify the Goldsmiths' Hall in refusing to recognise a partner of a Swiss house resident in London.

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3266. I think

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Chairman—continued.

3266. I think that was Mr. Prideaux's view, that they certainly do not hall-mark foreign plate other than watch-cases without putting the distinguishing "F" upon it?—They are bound to do that by the clause which I have spoken of.

3267. It seems to me that the statute (which may have been passed without your knowledge) does recognise the principle of this Bill in its entirety?—I admit that it does to some extent.

3268. That being so, would you now agree that it is ever a trade-mark in any other sense than that of a certificate of origin?—I call a certificate of origin a trade-mark in one sense, as distinguished from a certificate of quality.

3269. I quite agree with that, but you drew just now a distinction between trade-mark and hall-mark as a thing indicating quality; is there not a further condition of the hall-mark, which is that it indicates the nationality?—I think that the statute you have referred to gives you some ground for saying that; but I do not think, upon examining and looking at the whole of the statutes and the whole law, that that is at all the meaning of the law.

3270. It may not have been so intended, but is not that the result?—It may be so.

3271. Is not that the present condition of the trade?—The present condition of the English trade is, that they are seeking to have the benefit of the English hall-mark, whatever it may be, confined to themselves.

3272. I quite appreciate your view of the broad question, as to what you would do if the whole thing were open to us, but I think you must recognise that in the teeth of the trade's strong objection to have this hall-mark done away with, it would be a difficult thing even for this Government to do away with it?—A very difficult thing.

3273. Therefore, assuming then that the present law is to remain, supposing that every one of us wished it altered, if the feeling of the trade was so strong, would not it be right that you should submit to that which you consider an undesirable state of things, and make it as consistent with itself and as smooth as possible?—Yes.

3274. Then, on that hypothesis, do you see any reason why the Goldsmiths' Hall should not allow to be done with watch cases exactly what you have done for foreign plate, have a dis-

Chairman—continued.

tinctive mark put upon them?—I have given my view of making the thing as consistent and smooth as possible, namely, that you should treat all people, English and foreign, alike, and recur to what I believe to be the principle of the hall-marks, treating them as a test of quality and not as a test of origin; that is what I have given as my view of making the law consistent if you are to retain it.

3275. Would not the law still be consistent with itself, and with our present statutory enactments, if the suggestion of one of the honourable Members of the Committee were to be adopted, that a foreigner was not to be excluded from his certificate of value, but was to have it so put on that he could not pass his goods off as English goods; say, a horse's head, or some other mark?—I can see no possible reason for that; I can see no possible reason for attempting to convert this hall-mark into what must necessarily be a most imperfect test of origin.

3276. You think it is desirable, then, that foreign watches should be introduced and sold as though they were of English make?—I see no reason at all why foreign watch cases, if they come up to a certain standard, should not have the mark which denotes that standard.

3277. Might I take a similar case; supposing that Lyons silks were by the French Government marked with a particular mark to indicate the standard quality originally, and by usage this mark came to indicate, not only the quality, but the manufacturer at Lyons, would you think it fair that Coventry silk should be sent to France and be there impressed with a mark which would lead the English buyer and the Colonial buyer to treat them as Lyons silks, although they were of different origin?—My impression is that an attempt to secure the public by way of a test of that kind is so deceptive, that you had better not endeavour to enforce it by law at all, but you had better leave the public without any such attempt to give them an official means of knowing the origin.

3278. You consider that the difficulty of repressing this dishonesty would be so great that it would be better to let roguery have its way?—If you choose to call it roguery; I do not call it roguery for a foreigner to get our hall mark. Better let the public find out that it is really no test of origin.

Wednesday, 31st July 1878.

## MEMBERS PRESENT:

Mr. Campbell-Bannerman.  
Mr. Courtney.  
Mr. Orr Ewing.  
Mr. Freshfield.  
Mr. Thomson Hankey.

Sir Henry M. Jackson.  
Sir Andrew Lusk.  
Sir Joseph M'Kenna.  
Mr. Muntz.  
Mr. Whitwell.

SIR HENRY M. JACKSON, IN THE CHAIR.

Mr. THOMAS H. FARRER, called in; and further Examined.

Mr. Courtney.

3279. IN your evidence on Monday you referred the testing of metals, did you not, to the fact that they were used as currency?—I think that that had a great deal to do with it.

3280. Is it not the fact that the assize of bread and wine was a very common thing?—Yes; I believe it was.

3281. And precisely on the same principle?—Yes; no doubt.

3282. It was a privilege which was habitually conferred upon the corporations by the lord of the manor, to test bread and wine that were brought to market?—No doubt.

3283. So that it may be a relic of a system which at one time was very general?—No doubt; the Goldsmiths' corporation is a survivor of one of the old guilds. Perhaps the Committee will allow me to correct one thing which I said in my evidence on Monday; it is with reference to the Act by which the duty of putting the letter F on foreign plate was imposed upon the Goldsmiths' Company.

Chairman.

3824. I think you said that your department knew nothing at all about it?—I find that the enactment by which that duty was imposed upon the Goldsmiths' Company was passed in the year 1867, as I believe, for the first time. The question put to me was No. 3210. "That is done by the last Act? (A.) Yes, by an Act of the present reign. (Q.) And which was passed by the late Government? (A.) Yes, it was one of those clauses that got in at the tail of the Customs Act. (Q.) That was done when Mr. Peel was Secretary for the Board of Trade?" and I said "I do not think that it ever came before the Board of Trade." The present clause upon that subject is contained in the last Customs Consolidation Act, which was passed in the year 1876; but that was only a re-enactment of a previous enactment of the 30 & 31 Vict. c. 82, section 24.

Mr. Freshfield.

3285. I think the effect of your evidence is 0.117.

Mr. Freshfield—continued.

that you object to the principle of compulsory hall-marking?—Yes.

3286. I think you do not object, if the principle of hall-marking exists, to voluntary hall-marking?—I expressed considerable doubt about that. I should certainly not in the least object to a system of voluntary hall-marking established by the trade itself according to their own rules. The question that occurred to me as a doubtful one, was whether the Government or the Legislature ought, by Act of Parliament, to give their sanction, as it were, to a system of voluntary hall-marking; and my reason for that was the doubt whether any system of that sort could be adopted which would not be open to imitation, fraud, and evasion, and whether consequently the Government would not, by giving their sanction to any system of the sort, be practically patronising a system which might deceive.

3287. I understand you to prefer to leave all these matters to the operation of the trade?—Certainly.

3288. Then I think you object to the Bill?—Yes, I object to the Bill.

3289. With regard to the duty, I think you reserved yourself upon that as a question for the Chancellor of the Exchequer?—I did; I object to the duty as an interference with trade; but of course all duties are more or less an interference with the manufacture or business upon which they are levied; and it is a question for the Chancellor of the Exchequer to decide whether he can give up money, and if so, what money he should give up.

Sir Joseph M'Kenna.

3290. Do you not see (speaking now of the hall-mark as an assay mark, quite irrespective of duty) that if the hall-mark is given up altogether, there will be no test for the relative value of the articles that profess to be silver?—There would be no official or legal test certainly, but there will be at least as good a test exist in the purchase of every other article.

3291. Is that quite so when you reflect upon it, inasmuch as a base metal may be covered with  
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Sir Joseph M'Kenna—continued.

a precious metal so as to simulate to all appearance the finer article, so as almost to deceive any one whatever?—No doubt; and that is at present the case with plated articles; but I do not see that any evil arises from it.

3292. Save and except that the purchaser of a plated article has a mode of ascertaining whether it passes itself off as a genuine article or not. Now on a plated article we miss the hall-mark, and we know why we do without it; but if the baser article were admitted to an equality of trade with the finer article, do not you think that that would be removing without sufficient cause, a certain mode of ascertaining the value which the public at present enjoy?—I think the public would ascertain the value quite sufficiently for their own purposes, by making their special contract with the shopkeeper or testing the article.

3293. You are aware that in this particular trade of gold and silver ware, there is an immense quantity in value sold annually at second-hand, and that the shopkeeper has really no mode of testing the value for himself when he is buying it, except from the hall mark?—I stated in my evidence in chief that one of the reasons given by the trade for maintaining the hall-mark was, that it gave them facilities for purchasing second-hand silver, and I think I stated that whereas I thought that all the other reasons were bad, that reason was, so far as it went, a good one.

3294. But are you aware that the purchases and sales of silver goods represent something like 20 times the annual manufacture; I am not speaking from absolutely correct data or official data, but I am speaking from representations made to me that the annual purchases and sales of silver goods exceed, in point of amount, by twentyfold the amount manufactured each year?—I am quite unable to say; I am not aware what the quantity is.

3295. At any rate it must considerably exceed the amount that is manufactured?—I dare say it does, but I know nothing about it. I should like to say with regard to the drift of your question generally, in the first place, that this is an exceptional test; that in the case of other articles, for which, as it seems to me, a test is required more than in the case of silver, because silver can always be assayed, there is no such test; and secondly, that in the case of gold, for which, if at all, you ought to have a special test of this kind, there is practically now no official test whatever.

3296. You must be aware that the entire tendency of our recent legislation has been to afford the facilities of an official test for the value of articles exposed for sale, even of ordinary articles, articles of food for instance?—I am not aware that that is the tendency of recent legislation. The tendency of recent legislation has been to invest certain public authorities with the power of interfering with and destroying articles which are injurious to health; but I think the people are left to trust to themselves whether they will buy cheap claret or dear claret, or cheap beer or dear beer, or cheap bread or dear bread.

3297. Do you not think the principle goes further than that; I believe it is admitted on all hands that gin and water is not more unwholesome than gin by itself; and yet we see cases lately of men being fined for selling the diluted article; as to milk and water it is open to be

Sir Joseph M'Kenna—continued.

said that milk and water is not quite so wholesome as milk, but with respect to gin and water, I should think the majority of sanitarians would say that gin and water is quite as good for most people as gin; but nevertheless we find cases under recent legislation where men have been punished for selling diluted gin?—They are punished in that case for selling as gin that which is not gin; and if you choose in this case you may punish people for selling as silver that which is not silver.

3298. You understand this subject so thoroughly well, and have given it so much attention, that I really desire to be informed by you, and my questions are put to you quite in that sense; all articles of silver plate are made of an alloyed metal, that is to say, of a metal with such an admixture as the law permits, in addition to the precious metal; the hall-mark which is given at present, says what is the lawful amount of alloy in this article which is presented at Goldsmiths' Hall, and receives the hall-mark, and the purchaser knows that that article is precious metal, and is not alloyed more than the standard of Goldsmiths' Hall permits; and in that case there is an absolute certainty that there is a certain proportion of that which is silver, whereas, if you do away with that test, and you allow the precious metals to be still further alloyed, you may have a very base article indeed masquerading as silver, so to speak, to the prejudice of all lovers of art and of value, who do not take the trouble of assaying for themselves; do not you think that a grave objection to giving up the hall-mark?—I do not think so; I think that if I go to a shop and ask for silver, we will say of sterling value, which I may do, and the silversmith gives me silver which is not of the same value as sterling, then I should have my remedy against him; and I think I should be better off in the case of silver than I should in the case of most articles; much better off, for instance, than in the case of a watch. If I buy silver of a man, and ask him for silver of sterling value, I can have it assayed directly, and can test it; whereas, if I buy a watch there is no such test practicable. Therefore, if I am to be protected at all, protect me in buying a watch, but do not protect me in the buying of silver.

3299. Silver is different from all other articles, inasmuch as it is one of the mediums of exchange with the world at large, and it has always been held to be a useful policy to maintain the standard value of silver equal to the value of sterling money; do you see any reasons why we should give up hall-marking (my question is apart from duty, for I am quite against that) as a convenient standard whereby the public at large may easily certify to themselves that such silver is of the value that it pretends to be?—Your question seems to me to illustrate one of the positions with which I started, that this interference with silver as an article of commerce had its origin in the fact that silver is also a medium of currency. Now in the case of gold, which is our real standard of value (for silver is not a standard of value; silver coin is a mere token of value), we have given it up altogether; and therefore our present practice seems to me to be an answer to your question. The fact is, that silver serves two purposes; it is an article of commerce, and it is an article out of which a part of the coinage is made. I say, treat silver, so far as it is used as

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Sir *Joseph M'Kenna*—continued.

an article of commerce, as an article of commerce, and treat it, when used for the purposes of coinage, as a material of the coinage, but do not confuse the two.

3300. I do not agree with you that we have given it up with respect to gold any more than that we have given it up with respect to silver; the hall-mark or the assay-mark, which is given with respect to gold registers, does it not, the number of carats fine that the gold is represented to be?—Yes. I should explain that what I meant to say was, that where you have, in the first place, six different standards of gold, and where, in the second place, you have exempted from compulsory adherence to those standards almost all the articles which people ever use of gold, you may say that the compulsory hall-marking of gold is at an end for practical purposes.

3301. With regard to the purchases of gold, those are such serious affairs that people like to protect themselves to a certain extent in those articles which are exempted altogether from hall-marking; but that could scarcely be the case with respect to silver?—I bought this chain and this silver watch which I have on at the same time. The chain is not subject to compulsory hall-marking, and the watch is subject to compulsory hall-marking, but the chain is of very considerably greater value than the watch. I think that the things which people buy of gold are of very great value, and the probability is, that if you could get the value of all the ladies' jewellery that is bought in this country, it would be of as great value as the quantity of silver plate; but of that I have no positive information.

3302. Minus the gems?—Of course the gems have to be deducted.

Mr. *Muntz*.

3303. Supposing that the hall-mark ceased to be compulsory and were abolished altogether, except as a matter of convenience, do you think that it would be worth while to continue these little distinctions of 9, 12, and 15-carat gold?—I should have thought not.

3304. You would abolish the whole?—I should have thought that it might have been left to the dealer and the buyer. The dealer would soon find out what quality of gold people liked to have, and that quality of gold would be the quality to which the voluntary hall-mark would apply itself.

3305. You do not see any serious objection to voluntary hall-marking, do you?—I see no objection whatever to any species of mark or test that the trade may devise for themselves. My doubt is as to a voluntary hall-mark to be established by Government, to which people might have recourse if they pleased.

*Chairman*.

3306. And which would be enforced by penalties?—Yes. My doubt is whether you can secure the observance of the standard and protect it from fraud and evasion sufficiently to make it a protection to the public and not a deception.

Mr. *Muntz*.

3307. You would, in fact, according to the evidence which I heard you give, do away with the hall-mark altogether, and the duty also, and leave it to each person to buy or sell according to his reputation or character?—Certainly.

O.117.

Mr. *Muntz*—continued.

3308. So that if I go to a shop, I should rely upon whether the shopkeeper writes down in his note gold of 20 carats or of 18 carats; he is responsible?—Quite so.

3309. And silver the same?—Yes, silver in the same way.

3310. Supposing that the hall-marking were continued, do you think it would be very desirable that all the various assay offices of Chester, Dublin, Edinburgh, Glasgow, Sheffield, Birmingham, Exeter, and Newcastle-upon-Tyne should be compelled to act upon the same principle?—If you continue the system of compulsory hall-marking, certainly.

3311. You are aware, of course, that for the moment it is only Sheffield and Birmingham that verify their hall-marking at the Mint, and that the rest can mark anything that they like?—I know that there is some difference (I have forgotten at this moment what it is) between the Acts which apply to Sheffield and Birmingham, and the Acts as they apply to the other offices.

3312. In Sheffield and Birmingham the Act requires twice a year that the assay master shall appear at the Mint and verify his proceedings under a penalty of 200 *l.* and dismissal from the office for ever; that is not the case, is it, in other assay offices?—I know that there is a difference. I think it is quite clear, and it does not need argument, that if there is to be compulsory hall-marking, it ought to be the same everywhere, and subject to the same rules and conditions for seeing that it is properly applied.

3313. And that they should all use one mark in that case, and not a distinctive mark for each town?—I think it would be better that they should all mark in the same way, if you have equal security from all.

Mr. *Thomson Hankey*.

3314. If hall-marking were continued compulsorily with certain exemptions such as now exist, do you see any reason why wedding rings should be amongst the articles that should be compulsorily hall-marked?—I see no reason at all; I do not know what the reason was for passing the Act which obliged them to be hall-marked. I notice that in the evidence before the Committee of 1856, it is stated that at the time when they were not obliged to be hall-marked, a great many people bought rings of an inferior quality, and liked better to have them of that quality.

Mr. *Whitwell*.

3315. Have you taken into consideration the desirability of keeping up these various halls?—I think that if you are to keep up the compulsory system of hall-marking, it would be better to give the trade as much convenience as you can by having as many places for testing as you can conveniently keep up, without varying the standard; and that it is not desirable to put upon the manufacturer the burden of sending to a distance to have his things tested.

3316. And if a voluntary system was established you would entertain the same view as respects the trade?—I should leave the trade to settle it for themselves; if the people of Sheffield wished to have amongst themselves a voluntary

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Mr. Whitwell—continued.

voluntary trade mark, I would allow them to have it.

3317. If the hall-mark were given up do you think that the present law is sufficiently strong with regard to convicting for putting on a standard mark of 18-carats or 20-carats, as the case might be, which was higher than the value of the gold really was?—It might deserve consideration whether that would be such a fraud on the public as to be the subject of a criminal action, instead of, as I suppose it would be, without special legislation, merely the subject of a civil remedy.

3318. But you are not aware whether there is anything in the law connected with hall-marking, which at present would be a sufficient security?—I take it that if you were to do away with the present Statutes about it, you would have to revise the law altogether, and then it would be a matter for consideration whether you should have a punishment for misrepresentation of that description.

3319. Have you considered the desirability of limiting the standard of gold to 22 and 20-carats, and not going lower?—I would leave the trade in perfect freedom to make articles of any quality they pleased.

3320. Then, in fact, you would not propose that the Hall should be called upon to mark the exact quality without any respect to the security of a graduated standard?—I would leave the trade to settle that for themselves.

Mr. Orr Ewing.

3321. You seem to think that the hall-mark could not be maintained unless the duty upon silver were also maintained?—No, I do not think I said that: if I did I made a mistake. What I meant to say was that I thought the duty could not be maintained without the hall-marking.

Chairman.

3322. The second alternative was not your own suggestion, but rather acceding to a suggestion of mine; you will find at Question 3190, that you were asked: "Taking the hall-marking first, do you think that the hall-marking and the duty are intimately connected;" and your answer was: "I do not see how the duty is to be maintained without the hall-marking;" and then you find later, at Question 3229, on reference made to the other view of it which had been pointed to by Mr. Garrard, you were asked: "You agree with the witnesses that it" [the duty] "does help to keep up the hall-mark; Mr. Garrard and others have said in evidence, 'We look upon the duty as guaranteeing the hall-mark,'" to which you replied, "Yes, that is just the reason why I do not like it"?—Yes; the duty cannot be maintained without the hall-mark; and if you assume that the Chancellor of the Exchequer cannot give up the duty, you must keep up the hall-mark; that is an additional reason for disliking the duty.

Mr. Orr Ewing.

3323. Your opinion is, that the duty might be done away with, and that still we might maintain the hall-mark?—Certainly. If I remember rightly, watch cases are now subject to compulsory hall-marking, but are not subject to duty.

Mr. Orr Ewing—continued.

3324. You are against the hall-mark as restricting the trade?—Yes.

3325. But you admit that the trade does not seem to be of that opinion?—I have very often known a trade in favour of existing restrictions.

3326. Do you not think that they are more likely, if they felt it to be a restriction of the trade, to complain, than an outsider who should come to that conclusion without that complaint?—It depends exactly upon the way in which the restriction affects them. It may be that the duty or the restriction helps to free them from competition; and in that case my experience tells me that a trade is very often in favour of a restriction or a duty. If I understand the watch-case makers and the watch-movement makers aright, they are in favour of further restriction to the effect that no foreign-made movement should ever be put into English watch cases, and that no English movement should be put into foreign watch cases; they are distinctly in favour of a restriction on trade, which I have not the slightest doubt whatever would be a very injurious one to the public, whatever it might be to them.

3327. You stated that the hall-mark is a protection of one class of makers against another; also, that it is a protection of the home trade against the foreign, and also that it is against the principles of free trade; I think those are the three objections which you have urged?—I do not think that those are exactly my words, but substantially that is so.

3328. How can the hall-mark give protection to one class of makers in this country against another, when they all have a right to go to the Hall to have their goods marked?—It is, as I have said, a restriction to this extent, that it keeps smaller men out of the trade. I read you evidence, given by Mr. Samuel before the Committee of 1856, who said this in so many words, and I referred to the evidence of Mr. Garrard before this Committee, who said the same thing in other words.

3329. Was not their evidence that it might allow people to come in with less honesty to pass off inferior articles as good articles, and that therefore they would be competing with unfair dealers?—But that is assuming the whole question at issue. Is there any dishonesty in making an article of silver which is not of sterling value? I say there is none, unless it is represented to be of sterling value.

3330. But at present the hall-marking is only applied to silver of a certain intrinsic value?—At present the system of hall-marking means this: that a man may not make an article of silver of less than a certain value. I say, Why should a man not be able to make an article with any quantity of silver in it that he pleases?

3331. You stated, did you not, in your evidence, that you would place purchasers of silver in the same position as cotton or other goods?—Certainly.

3332. Do you think that the purchasers of silver articles are capable of judging of silver plate in the same way as they can judge of cotton goods or any other substance of their consumption?—I think in one respect more capable, because they can always have it assayed if it is of sufficient importance to them to do so.

3333. And

Mr. Orr Ewing—continued.

3333. And you would put the onus on the purchaser of silver plate to have it assayed before he could know whether it was of the correct value?—If he thought it worth while; but in 9 cases out of 10, or 99 cases out of 100, or indeed I may say in 999 cases out of 1,000, the purchaser would in that case do as he does in all other cases, trust the shop to which he goes.

3334. Do you think that you can always trust all shopkeepers?—Certainly not; but on the whole, we find it the best way to trust a good shopkeeper, and to go to a good shop, and we get very good articles in that way.

3335. Would you yourself, if you were going into a shop to purchase first-class electro-plated spoons, be able to distinguish between real silver spoons and electro-plated spoons?—Certainly not.

3336. Would it be more for the advantage of the public to have the onus put upon every individual of knowing whether he was purchasing silver, or to have this simple hall-mark which assures him that the article he is buying is a *bona fide* article?—If you can put upon every article something which will, upon the face of it, like a ticket, tell the purchaser what the quality of it is, and if you can do that without any interference whatever with the manufacture and with the trade, well and good, and I should like to see it done; but you cannot.

3337. Does it interfere with it?—Yes, I say that it does, decidedly.

3338. We have no evidence from the trade that it does?—No, the trade like it.

3339. Do not you think that you are dealing with the general subject rather than with the special subject?—I am trying to make the special subject part of the general subject.

3340. You give this opinion without any definite knowledge of the particular manufacture, but being a strong free trader, and objecting to any restrictions whatever, you wish to bring in this article along with the general question?—I do not pretend to a special knowledge of the silver manufacture or of any other manufacture; but I see no reasons why the principles which are applicable to other manufactures should not be applicable to the silver manufacture, and I see that this particular restriction does interfere injuriously with this particular trade.

3341. You say that the hall-mark is against foreigners; in what way is it against the foreign manufacturer?—I have said that in the first instance it is in favour of the foreigner as against the Englishman, if foreign silver is imported, as we have evidence that a great deal of it is, without the hall-mark, and in that case the foreigner is protected against the English manufacturer. Supposing the foreigner to be subject to the hall-mark, then you subject him to this inconvenience, that he is unable to send his goods to be hall-marked before they are finished, whereas the English manufacturer sends his goods to be hall-marked before they are finished. Again, the foreigner cannot get a rebate upon unfinished goods, which the English manufacturer can. Again, the foreigner very likely is subject in his own country to a hall-marking system of its own which may be different from ours, and it may be that in consequence of that system, when his goods are sent into this country and sent

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to be hall-marked, they are broken up and destroyed.

3342. Do you know of any country which has hall-marking compulsory upon goods which are manufactured for exportation?—Yes; this country for instance.

3343. I mean any foreign country?—I do not know what the law of foreign countries is.

3344. Then that is a hypothetical opinion?—I am inclined to think that it is the case in France; indeed I am pretty sure it is.

3345. In fact, if that is the case as to France, do you think that they will have to go to be hall-marked again in this country?—That is our law; they must certainly, before they can be sold; there is no hall-marking unless they are exposed for sale, and that is one of the hardships, that I may buy a thing and bring it into this country, having paid the full price for it, but if I want to have it sold at Christie's, then I find that it cannot be sold.

3346. Such plate is sold every day, is it not?—Yes; I know that the law is evaded, and that is one of my arguments against the law; according to the law it cannot be sold without being hall-marked.

3347. Those are not articles of general consumption; they are generally articles of *vertu* that are sold at Christie & Manson's in that way, with no hall-mark upon them?—That may be so. But if common articles of silver of foreign make are not sold here, I do not see why they should not be; I should like to free the trade from all restrictions and see whether we could not get spoons and forks better from abroad.

Mr. Courtney.

3348. Have you read Mr. Poynter's evidence?—Yes, and I was very much struck by it. A very beautiful piece of oriental work was in that way imported into this country, and then it was found that it could not be sold without being hall-marked, and that by sending it to Goldsmiths' Hall he incurred the risk of forfeiting the article. You have also had evidence from Mr. Watherston that some very beautiful artistic American work is made of silver mixed with copper, and that would not pass the Goldsmiths' Hall in this country.

Mr. Orr Ewing.

3349. If that article had sold as pure silver it would have been sold dishonestly?—That is assuming the whole question. Why is it dishonest to sell an article which is made partly of silver and partly of copper?

3350. If it is sold as silver, surely it is dishonest?—If it is represented as sterling silver certainly, but the crime is in the misrepresentation, and not in selling the alloyed article.

3351. Then you consider that this hall-marking is against free trade?—Yes, certainly.

3352. How do you make that out?—In the way in which I have been trying to explain through my answers to your questions.

3353. You say that you wish for free trade, which is, that the seller and the buyer should both be free to accommodate each other?—Quite so; and that is exactly the thing which the old statutes on this subject say that they shall not do.

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3354. If

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3354. If I understand free trade, it meant that we allow all articles of manufacture and of produce to be imported into this country upon the same terms that we charge our own manufacture and produce?—That is free trade as between ourselves and foreigners.

3355. I was not aware that there was ever any protection against ourselves. I never knew that there was any inequality between buyers and sellers in this country?—You may make a law so that it shall protect one set of dealers as against another set of dealers.

3356. Surely that is not a proper designation of free trade?—I call free trade freedom of manufacture and freedom of buying and selling, and every restriction upon freedom of buying and selling (customs, duties, hall-marking, and every other species of charge or restriction) is in opposition to free trade.

3357. Free trade strictly means that there is no duty charged upon an article, or if you do charge duty upon an article, you charge the same duty to the foreigner as you charge to yourselves?—We are arguing about words; I should call a restriction imposed on internal dealings a breach of free trade, according to my notions of free trade.

3358. Surely free trade does not mean that a foreigner is entitled to bring a manufactured article into this country, and by having it stamped, to deceive the public into believing that it is of English make instead of foreign make?—Free trade is not deception, certainly.

3359. Is not that what you advocate when you state that you think that a foreigner is as much entitled to have our hall-mark without any distinctive mark, which enables him to sell it in this country as if it was made in England?—That depends entirely upon what is the meaning of the hall-mark.

3360. I am asking you a general question; we are here to alter the hall-mark, and what I wish to get from you is, what are the sound principles on which we should enact a new law?—I have been trying to give them.

3361. Do you think it would be quite fair to permit a foreigner to have the same hall-mark, so as to enable him to get the advantage of an English name in order that he may compete with the English manufacturer?—If the hall-mark is a test of quality, yes. If the hall-mark is a certificate of origin, no.

3362. Is it not the case that it is both in this country, that it has grown up into that?—That is the very question. That is the foundation of the Chairman's Bill; and I say that, if it is so, the hall-mark has departed from its original intention, and the sooner you can get rid of the false notion which has become attached to it the better.

3363. Do not you think it would be better rather to make it more distinctive, so that there should be no deception?—No; because I think it can never be otherwise than deceptive; and I also think that if you want to begin by stopping deceptions of that sort, you had better begin by stopping the deceptions practised by our own trade. Allow me to quote Mr. Samuel again, because he puts in such a naïve and simple way what many witnesses before this Committee have stated, only he states it in much more simple language. He is asked whether he has sent his

Mr. Orr Ewing—continued.

watches to London; to which he replies, "Yes, I have frequently sent to London. To be candid with the Committee, I will explain the reason. Some of the Liverpool manufacturers put London names on their watches to give them the appearance of London watches, though they were made in Liverpool; they have the London stamp, and they are not particular what name they put on." Now, if you are to begin to legislate upon the test of origin you had better begin with that.

3364. Do you think it is the same thing, an English manufacturer in Liverpool or Coventry making silver plate and calling it London make, which may be considered to mean that it is made in England, and a foreign manufacturer in Geneva making the same article and sending it in here and calling it English?—You will remember the question here was with respect to watches, and it is with respect to watches that I read this answer.

3365. I am dealing with the whole subject, all kinds of silver plate as well as watches; do you think that is fair, or would it not be more fair that there should be a distinctive mark between the English and the foreign manufacturer, so that the people of this country might know what they were buying?—If I am buying silver plate and that silver plate is tested, and found to be of a certain quality, I really think it matters very little to me whether that plate was made in Paris or was made in London, or was made in Liverpool.

3366. Would there be any harm to the foreigner or to the consumer if that distinction was made, it only being an advantage to the foreigner when he is deceiving the public and getting a better price; what object can he have in objecting to have a distinctive mark, unless it is for some advantage which he has no right to get?—I do not see what object there is in putting on an official mark, pretending to be distinctive of origin.

3367. Do you not think it is well to keep things separate?—I do not see that it matters to me in the least when I buy a thing in a shop, whether it comes from Geneva or from Coventry, provided that it is a thing which answers my purpose.

3368. If you were a silversmith would that be your opinion?—I am not a silversmith, and therefore I cannot tell.

3369. If you felt your pocket suffering by that sort of practice, would you not like to try and prevent it?—If I felt my pocket suffering by any practice, whether it was in the form of deception or in the form of fair competition, I should like to do whatever would prevent my pocket suffering.

3370. If you were a silversmith you say that you were not suffering from fair competition, but by articles being brought in here and sold as English, and therefore you would have a different view if you were a silversmith?—My impression upon the whole evidence, I confess, is that what they suffer from is competition, and what they want to free themselves from is competition.

3371. And you think differently from them as to the cause of it?—Perhaps so.

3372. Supposing, as it is well known, that Lyons is celebrated for its quality of silk, what would

Mr. Orr Ewing—continued.

would you think of an English manufacturer who sent his silk out to Lyons and got it stamped there with the Lyons mark, and sold it for Lyons silk when it was manufactured in this country?—I should think very much the same of him as I think of the Liverpool watch manufacturers, who have their watches marked as London made when they are Liverpool made.

3373. You still think it is wrong for a Liverpool watch manufacturer who lives out of London, to call it an English watch?—Not at all. It depends upon what is meant by putting the name upon the watch; if a dealer in Liverpool by putting the name of a London maker upon a watch represents to the buyer that he has made the watch when he has not made it, that is misrepresentation; if he merely means by it that he guarantees the quality of the watch, it is no misrepresentation.

3374. You think it is quite a parallel case, a manufacturer abroad sending in silver-plate here and calling it English make, and a Liverpool manufacturer sending it to London and calling it London make?—Yes, but you must remember that the foreign manufacturer here does not call it English; he sends in his watch cases, and gets his watch cases hall-marked, *i.e.*, marked with a mark which, according to law, is a test of quality. It is only by the habit of the trade that the hall-mark has got to mean anything like a test of origin, if indeed it has done so. In the case I am putting the watchmaker puts the name of another maker on his watch, with a view to leading people to believe that it is made where it is not made.

3375. We have had evidence before us that a watch called English with the hall-mark upon it, though of foreign manufacture, brings 30 per cent. higher price in the market than it would do if it were sold as a foreign watch?—Yes, I am very much astonished at that evidence.

Chairman.

3376. Your evidence, of course, is that of the views of the permanent authorities of the Board of Trade?—I will be quite frank with the Committee upon the subject. If this were a subject which had been carefully considered by the Government, and upon which they had come to a conclusion, I should be very cautious in my evidence here; but it is not a case of that kind, and consequently the opinions which I have been expressing are simply my own opinions.

3377. Then of course I rather thought we might probably take those as the views of what I may call the permanent staff of the office, rather than as the views of the minister of the day?—I do not hesitate to say that what I have been saying is consistent with the permanent traditions and principles upon which the office has been guided in my time.

3378. Then I understand the general effect of your evidence to be this, that you are so much in favour of the whole trade being thrown open, and all restrictions removed, that you would rather leave the trade fettered as it is at present, than give them relief in order that some day the burden may become intolerable, and they may say, Let the whole thing be free; is that your idea?—No, I do not think I quite said that. I think I said that if you could not deal with the

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whole subject, I was in favour of Mr. Prideaux's suggestion to free watch cases altogether from hall-marking.

3379. That is to say, that you would free watch cases, but leave plate subject to hall-marking?—Yes. In order to get rid of this difficulty about watch cases. That might be done without any interference with the true principle, but the contrary, though it would not go the whole length of abolishing hall-marking altogether.

3380. You do not deny that the evidence has established that which the honourable Member for Dumbartonshire put to you, that a foreigner can have no other motive in using the English hall-mark for his goods, in cases where he has his own standard tested by a hall-mark of his own, than to pass them off as English goods?—I am not satisfied about that; it may be so.

3381. Are you not able to suggest any other reason than that; in America where there is no hall-mark, you say that they want a hall-mark, but with the Swiss and the French, who have their own hall-mark, which testifies to the quality, they cannot be heard to say, or would not be believed if they did, that they want our mark as a guarantee of quality, when they have got one of their own just as good?—It may perfectly well be the case that the English people know the English hall-mark, but do not know the French or Swiss hall-mark, and therefore they wish to have the English hall-mark.

3382. Still, the Frenchman has no motive, if he has got a hall-mark which we know to be equally good?—I do not know that.

3383. Your answer implies, then, that the object is to give a better certificate to the English buyer?—A better certificate of quality, it may be, which is perfectly honest.

3384. It may be of quality, but at all events it would be a better certificate, you say, and it would sell better in the English market from having the English hall-mark?—Otherwise, I suppose, he would not ask for it.

3385. Supposing you concede that to me as established, there is not only a difference between the plan proposed by the Bill and your plan, but a difference in the manner in which this is to be rectified. You say, take off all restrictions and then everybody will be free, and the Bill says that cannot be done, and therefore prevent those restrictions which were established for the benefit of the British trade, as it is thought, from being used by those who are not entitled to them?—I cannot admit that they are not entitled to them. Further, putting aside all other questions, your plan is open to this additional objection, that it would prevent a *bona fide* English-made watch from being sold in a foreign watch case hall-marked in England; and I do not see why it should do so.

3386. That is a very small point which we could always deal with by amending the Bill; the principle of my Bill, as you must agree, is, inasmuch as the result of a long series of Acts of Parliament has been to establish a usage, as you yourself admit, under which the buyer, until the contrary is shown, takes the English hall-mark on a watch case to be indicative of English origin, let not that be abused; but your view is, let it be abused, and let it be abused up to the point of becoming intolerable, and then we will take the matter

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matter in hand and throw the whole thing over, and have no hall-mark at all?—I doubt very much, in the first place, whether the English public really do look upon the English hall-mark as a test of English origin. I believe they attach no value to it in that respect. At any rate, I feel sure, from the evidence before this Committee of the quantity of foreign watches and watch cases that are coming in at present, that if the present practice goes on they will very soon be disabused; and I say let them be disabused, and let the hall-mark return to what was its original meaning, a test of quality.

3387. The British manufacturer is at present debarred from having any remedy, and there must be some alteration in the law to let your principles have free scope; there cannot be free trade now, because the law prevents it, and therefore there must be an alteration in the law?—I think it would be better to leave the law alone until you can deal with the whole subject. It has not been proved to my satisfaction that there is any such grievance as to require an alteration of the law until you deal with it in a large spirit.

3388. You see we say that the only way of making the matter free as between the English watchmaker and the foreign watchmaker, is to leave the hall-mark to be voluntary?—So as to put them both upon the same footing.

3389. Which they cannot be under the present law?—I do not see why they cannot be on the same footing under the present law.

3390. Certainly, if you have read the evidence you must have seen this, that the English watchmaker is trammelled with a restriction to which the foreigner is not subject?—I beg your pardon; I did not understand what you were driving at. As to removing existing restrictions on English watchmakers, I entirely agree with you. At present, if I understand the law aright, it is that all watch cases sold in England, whether foreign or English, must be hall-marked.

3391. And they cannot be hall-marked unless they are of a particular standard?—Yes, and unless the whole of it is of one metal; but then I understand that, as regards foreign watch cases, the law is evaded, and that a great many of them are not hall-marked at all, and that a very large number are sold with what they call metal domes.

3392. And it is doubtful whether that is the law with regard to foreign watches?—I think there can be no doubt about that. Mr. Prideaux has no doubt, and I have the Act of Parliament myself, and quite agree with him.

3393. If I am right that some alteration of the law is necessary, and it is established that the trade are very much against the abolition of hall-marking, would it not be better that the hall-mark should be so adjusted as to prevent those frauds, than that it should be left to go on until the burden has become so intolerable to the trade, that they are driven to your remedy of asking Parliament to take it away altogether?—I am not quite sure that I understand what is the evil that you are now alluding to. If you are alluding to the restriction upon an English watchmaker, which does not practically exist in the case of the foreign watchmaker, I quite agree that it ought to be done away with; but if you are

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alluding to the advantage which the foreigner gets by the hall-mark test, I am inclined to think that that is a very shadowy evil.

3394. And you would rather let the law remain than have it altered?—I would much rather let the law remain than have this Bill.

3395. Have you considered as an economical question, whether the precious metals are in the same category as other metals; the practice of mankind from all time having been to treat them as rather different?—The practice of some nations is so, and of others is not; there is no hall-marking law in America.

3396. But there is a very strong currency law?—A currency law you must have everywhere.

3397. The burthen of your evidence is this, that you consider this hall-marking to have been mainly the offspring of old currency principles?—I think so.

3398. Then you are quite sure that that is not a really good reason for the existence of a law and a custom which has obtained in this country from the earliest records?—I think not. I think the present state of things in this country shows that it is not, because we have practically done away with the law altogether in the case of that metal which is the real standard of value, and out of which our currency is framed, namely, gold; and because, as regards silver, which is not really the material of our currency, whilst we have retained the hall-marking system for a fraction of the manufacture, namely, silver plate, for silver ornaments and for plated goods we have done away with it altogether; we have done away with all the attempts made by the early statutes to prevent anything from being sold which might be taken for silver, but which was not real sterling silver, and we have left the law applicable only to this particular form of silver manufacture which we call silver plate.

3399. You are quite satisfied that there is no sound and reasonable basis for that practice?—I think not.

3400. You know, of course, that it exists in France?—In France I know that it exists.

3401. You probably know that it was abandoned, and that your views for a time obtained in France, but it was found so unpalatable to the French manufacturers that they petitioned the Government to restore the old law, and then they were satisfied?—I was not aware of that.

3402. The French not only require a mark to indicate that gold and silver articles are of the standard, but they require a mark to specify that they are not of the standard, do they not?—I think their law is more minute and restrictive than ours.

3403. When we go to Paris, we see over a shop front the word "imitation," do we not?—Yes, we do.

3404. That is in compliance with the legal obligation which compels the vendor of goods below the standard to state that he is selling them below the standard, so as to put purchasers on their guard?—Yes, but I think the public would be able to protect themselves against the Palais Royal without it.

3405. However, you would agree that we are not



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not alone amongst the nations in acting upon that idea?—No, certainly not.

3406. You think we are equally foolish with other nations?—Yes, but I think it is only a fraction of the old folly which remains.

*Mr. Thomson Hankey.*

3407. It is one of the principles of this Bill, is it not, to oblige every foreigner who wishes to have goods hall-marked to declare where those goods were made?—Yes.

3408. Do you think it is possible to secure by any Act of Parliament the fulfilment of such a condition?—Certainly not. I think it would be evaded in every kind of way.

3409. So that you disapprove of this Bill?—Yes, I do.

*Mr Whitwell.*

3410. Do you know of any trade where an article is treated in such a different way in the one case, and in the other as these metals are treated?—I know of no case analogous to this law concerning plate.

3411. Do you treat it as an excise duty or as of customs duty?—It is, I suppose, in the nature of an excise duty upon the goods that are manufactured in this country, and a customs duty upon imported goods.

3412. Do you know of any excise article which having been once stamped, and the duty paid, is sent again to be re-stamped, and has to pay a second duty. Supposing that I have a lot of silver spoons properly hall-marked, and I wish to convert them into some decorative article, and I send them again to the hall to be marked, they will have to pay duty a second time; do you know of any other instance of that kind?—No; I know of no instance of that kind.

3413. Therefore you regard it as exceptional?—Yes.

3414. And quite an impediment to the trade?—Yes.

*Mr. Courtney.*

3415. Supposing an English manufacturer and a foreign manufacturer both make watches of equal quality, free trade would not be realised unless those could be put upon the market each under the same conditions of saleability?—Quite so.

3416. If a customer who wants a watch looks at a particular mark upon it as indicating the material of which the case is made, and that mark is restricted to English-made watches and denied to foreign-made watches, equal conditions of saleability would not be secured?—No, they would not.

3417. If the foreigner had a mark of his own which was not known to the buying public here, the presence of that mark would not secure equal conditions?—No, it would not replace the English mark.

3418. If a new mark was invented here which was not known, and would not for some time at all events be known to the public here, equal conditions would not then be secured?—No.

3419. The purpose of the Bill is not to secure equality of conditions?—Certainly not.

3420. At the same time we have had repeated those inequalities affecting the English maker?—Yea.

3421. If we are to make any alteration at all, 0.117.

*Mr. Courtney*—continued

you would move in the direction of absolute equality?—Certainly.

3422. By removing, in fact, all those compulsory conditions?—Certainly.

*Chairman.*

3423. The Board of Trade have no prejudice against the watch trade, have they?—No prejudice either in favour of them or against them. The only prejudice which has ever existed in my mind with respect to this compulsory hall-marking has arisen from the fact that whenever anybody has wished to put a restriction on anybody, and has come to the Board of Trade to ask them to do so, they have constantly invoked this hall-mark as an example to be followed.

*Mr. Orr Ewing.*

3424. Supposing I was an importer of coffee, and I imported coffee from different parts of the world, Ceylon, Java, and Madras, those coffees would not be upon an equal footing with each other unless I was allowed to call them all the same quality of coffee; is not that a parallel case to what is pointed out by my honourable friend?—No.

3425. Would the manufacturers of Ceylon coffee not suffer by its being sold as an inferior coffee; inasmuch as according to the answer which you gave the honourable Member, they would not be placed equally in the market unless they were all called the same thing?—I do not think that that was what the honourable Member said at all; I will endeavour to state exactly what the honourable Member said, applying it to the article coffee. Supposing you had a law that no coffee should be sold except of a certain quality, then you would be perfectly right in administering that law to attach the same name as denoting that quality to all the different descriptions of coffee.

3426. And so deceive the public?—I do not think you would deceive the public at all.

*Mr. Campbell-Bannerman.*

3427. That is to say, if they came up to that standard of quality?—Exactly; if they came up to that standard of quality there could be no deception.

*Mr. Orr Ewing.*

3428. It is perfectly well known that in both sugars and coffees there are the greatest varieties; just now there are sugars from Java which would bring 15 per cent. higher price than sugar from the West Indies?—Yes, because they are of different qualities.

3429. How are the public able to judge of watches unless they know where they are manufactured; what this Bill intends and what I advocate is, that the public should know what they are buying by putting a distinctive mark upon what is made abroad from what is made in England; do not you think that that would be quite fair?—I do not think that it is of very great importance (I should not think it so myself) to know where a watch was made provided it were a good one; but if you are to do it, do it thoroughly, and require that everybody shall put his name on the watch, and then inflict a heavy penalty for putting a name on a watch which is not that of the real maker.

3430. Do you not think it would be a very wrong

*Mr. Farrer.*

31 July  
1878.



Mr. Farrer.

31 July  
1878.

Mr. Orr Ewing—continued.

wrong thing indeed for a person to sell West India sugar as Java sugar, when they were of different qualities?—If by putting the wrong name on, the sugar seller deceives the public, certainly.

3431. I suppose the sugar is equally good as to taste?—I suppose it is not, or the one would not have a higher price than the other.

3432. Is it not the case that English watches have a much higher price than foreign watches? I have no positive knowledge, but I should have thought that price varied with quality, not with origin.

3433. Have we not evidence before us that that is a fact?—Good watches are made in

Mr. Orr Ewing—continued.

England, good watches are made in Switzerland, good watches are made in America, and bad watches are made in all three countries.

3434. As a general rule, have we not evidence before this Committee that a watch made abroad fetches a much higher price by being called English?—Possibly; but I should like to know more about that; at any rate if you wish to stop that practice. Then if you do that you must go a good deal further. You must, as I have said, put heavy penalties upon English watchmakers for putting their names on Geneva watches, and upon Liverpool makers for assuming London names.

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A P P E N D I X.

Appendix, No. 1.

PAPERS handed in by Mr. Garnett.

A STATEMENT of the Quantity of GOLD and SILVER PLATE on which DUTY was Paid by each ASSAY OFFICE in the UNITED KINGDOM, in the Year ended 5th January 1855, and the DUTY thereon.

ASSAY OFFICES.	QUANTITY OF PLATE.		AMOUNT OF DUTY.		
	GOLD, at 17 <i>s.</i> per oz.	SILVER, at 1 <i>s.</i> 6 <i>d.</i> per oz.	GOLD.	SILVER.	TOTAL.
	Oz. <i>dwt.s.</i>	Oz. <i>dwt.s.</i>	£. <i>s.</i> <i>d.</i>	£. <i>s.</i> <i>d.</i>	£. <i>s.</i> <i>d.</i>
Birmingham   -   -   -   -	3,229   3	51,743   16	2,744   15   3	3,880   15   8	6,625   10   11
Chester   -   -   -   -   -	188   4	124   3	160   10   -	9   6   3½	169   16   3½
Exeter   -   -   -   -   -	762   2	55,759   16	647   16   -¼	4,181   19   9	4,829   15   9¼
Newcastle-upon-Tyne -   -   -	217   8	10,800   9	184   16   1½	810   -   8½	994   16   10
Sheffield   -   -   -   -   -	-   -	64,826   14	-   -	4,862   -   1½	4,862   -   1½
York -   -   -   -   -	26   10	1,272   8	22   11   2¾	95   8   8	117   19   10¾
London   -   -   -   -   -	6,340   13	765,677   14	5,389   8   3	57,425   16   7	62,815   4   10
ENGLAND   -   -   -   -	10,764   0	950,205   0	9,149   16   10¼	71,265   7   9¾	80,415   4   8
SCOTLAND   { Glasgow -   -	13   6	20,852   7	11   6   4	1,563   18   7	1,575   4   11
	Edinburgh   -	87   5	15,924   6	1,194   6   5	1,268   10   -
IRELAND—Dublin   -   -	34   8	13,318   2	29   4   11	998   17   3	1,028   2   2
TOTAL   -   -   -	10,898   19	1,000,299   15	9,264   11   8½	75,022   10   -¼	84,287   1   9
Drawback (United Kingdom)   -	6   10	164,348   13	5   10   6	12,326   3   4½	12,331   13   10½

Inland Revenue Office,  
26 June 1878.

A STATEMENT of the Quantity of Gold and Silver Plate on which Duty was Paid by each Assay Office in the UNITED KINGDOM in the Years ended 31st March 1877 and 1878, and the Duty thereon.

ASSAY OFFICES.	Year ended 31st March 1877.					Year ended 31st March 1878.				
	QUANTITY OF PLATE.		AMOUNT OF DUTY.			QUANTITY OF PLATE.		AMOUNT OF DUTY.		
	GOLD, at 17s. per oz.	SILVER, at 1s. 6d. per oz.	GOLD.	SILVER.	TOTAL.	GOLD, at 17s. per oz.	SILVER, at 1s. 6d. per oz.	GOLD.	SILVER.	TOTAL.
Birmingham -	Oz. dwts. 14,501 18	Oz. dwts. 87,728 0	£. s. d. 12,326 12 8	£. s. d. 6,579 12 -	£. s. d. 18,906 4 8	Oz. dwts. 18,858 4	Oz. dwts. 94,496 7	£. s. d. 11,779 10 5	£. s. d. 7,087 4 7	£. s. d. 19,866 15 -
Chester -	28 16	155 14	24 10 4½	11 13 6	36 3 10½	21 14	195 6	18 9 3	14 12 11	33 2 2
Exeter -	1,064 3	32,478 18	904 10 10	2,435 18 4½	3,340 9 2½	886 13	35,171 16	753 13 4	2,637 17 9	3,391 11 1
Newcastle-on-Tyne -	187 8	2,132 10	116 16 1	169 18 9	276 14 10	77 9	1,681 5	66 17 6	126 1 10½	191 19 4½
Sheffield -	-	85,444 16	-	6,408 7 3	6,408 7 3	-	87,346 18	-	6,551 - 4½	6,551 - 4½
York* -	-	-	-	-	-	-	-	-	-	-
London -	7,833 15	588,019 7	6,658 13 9	48,726 9 -½	50,385 2 9½	7,587 15	537,697 17	6,449 12 2	40,327 6 11	46,776 19 1
ENGLAND -	23,566 0	790,959 5	20,031 3 8½	59,321 18 11	79,353 2 7½	22,431 15	756,589 9	19,067 2 8	56,744 4 5	75,811 7 1
SCOTLAND { Glasgow - Edinburgh -	205 10	11,190 9	174 14 2½	839 5 8½	1,013 19 11	180 9	11,745 7	153 7 9½	880 18 1	1,034 5 10½
	64 5	13,647 15	54 12 3	1,023 11 7½	1,078 3 10½	66 5	14,755 18	56 6 11½	1,106 13 9½	1,163 - 9½
IRELAND--Dublin -	14 6	7,594 18	12 3 5	569 12 5	681 15 10	30 6	7,667 17	25 15 4	575 1 10	600 17 2
Drawback (United Kingdom) -	28,850 1	823,392 7	20,272 13 7	61,754 8 8	82,027 2 3	22,708 15	790,753 11	19,302 12 9	69,306 18 1½	78,609 10 10½
	68 4	108,261 10	57 19 4	8,194 10 1½	8,252 9 5½	8 0	83,345 7	6 16 -	6,250 16 2	6,257 12 2

\* The last Duty paid at this office was in July 1869. The officer who formerly acted as Assayer for the City of York died many years ago, and no successor has been appointed.  
Inland Revenue Office,  
26 June 1878.

## GOLD AND SILVER PLATE DUTY.

AMOUNT and RATE of DUTY in each Year from the Imposition of the Duty to the Year 1877,  
ended 31st March 1878.

YEARS.	ENGLAND.		SCOTLAND.		IRELAND.		UNITED KINGDOM.
	Amount of Duty.	Rate of Duty.	Amount of Duty.	Rate of Duty.	Amount of Duty.	Rate of Duty.	Amount of Duty.
	£.	Per oz.	£.	Per oz.	£.	Per oz.	£.
Commenced 1st June.			Commenced 1st June 1720.				
1720	19,145		No distinct Account can be rendered for these Years. 336				19,145
1721	15,040						15,040
1722	14,660						14,660
1723	14,620						14,620
1724	15,337						15,673
1725	14,948	Silver, 6d.	294	Silver, 6d.	Commenced 25th March 1730. 1,689		15,242
1726	13,949		372				14,321
1727	13,060		333				13,393
1728	12,861		396				13,257
1729	12,210		345				12,555
1730	13,241		365		851	Gold and Silver, 6d.	15,295
1731	13,245		380		1,176		14,476
1732	12,249		360		946		13,814
1733	10,948		392		1,080		12,254
1734	11,031						12,503
1735	10,587		368		1,062		11,891
1736	9,820		408		1,098		11,242
1737	9,682		397		1,142		11,150
1738	10,078		428		1,076		11,573
1739	12,006		387		1,062		13,549
1740	10,447		389		1,170		11,951
1741	9,466		387		1,116		10,895
1742	10,784		357		1,198		12,343
1743	10,246						11,748
1744	9,880		251		1,038		11,435
1745	8,363		424		949		9,652
1746	9,909		387		1,131		11,282
1747	9,473		395		1,354		10,991
1748	10,073		443		1,288		11,822
1749	9,983						11,714
1750	10,669		437		1,532		12,688
1751	11,165		453		1,501		13,119
1752	11,140		385		1,006		13,131
1753	10,552		395		1,610		12,557
1754	10,355		429		1,328		12,112
1755	9,886		428		1,235		11,549
1756	8,735		395		1,506		10,636
1757	7,852		359		1,150		9,361
1758					1,485		1,485
1759					1,333		1,333
1760		The Duty repealed, and a License Duty substituted.		The Duty repealed, and a License Duty substituted.	1,335		1,335
1761					1,384		1,384
1762					1,521		1,521
1763					1,618		1,618
1764					1,984		1,984
1765					1,772		1,772
1766					1,718		1,718
1767					1,688		1,688
1768					1,870		1,870
1769					1,688		1,688

Amount and Rate of Duty on Gold and Silver Plate in each Year from 1720 to 1877, ended 31st March 1878—*contd.*

YEARS.	ENGLAND.		SCOTLAND.		IRELAND.		UNITED KINGDOM.
	Amount of Duty.	Rate of Duty.	Amount of Duty.	Rate of Duty.	Amount of Duty.	Rate of Duty.	Amount of Duty.
	£.	Per oz.	£.	Per oz.	£.	Per oz.	£.
1770					1,851		1,851
1771					1,654		1,654
1772					1,703		1,703
1773					1,675		1,675
1774					1,646		1,646
1775	The Duty repealed, and a License Duty substituted.		The Duty repealed, and a License Duty substituted.		1,669		1,669
1776					1,833		1,833
1777					1,968		1,968
1778					1,768		1,768
1779					1,658		1,658
1780					1,877		1,877
1781					1,941		1,941
1782					2,049		2,049
1783					1,854		1,854
1784	No Account can be rendered for these Years.		No Account can be rendered for these Years.		1,868		1,868
1785					1,801		1,801
1786					1,862		27,479
1787					2,003		30,400
1788					2,004		27,549
1789					1,865		28,546
1790					1,892	Gold and Silver, 6 d.	30,977
1791					1,883		33,259
1792					1,905		35,955
1793					1,512		33,049
1794					1,812		34,122
1795					1,928		34,526
1796					1,865		34,288
1797					1,081		31,134
1798					1,138		35,217
Aug. 1799 to Jan. 1800					1,897		29,556
1800					2,093		56,363
1801					1,839		56,908
1802					1,938		60,960
1803					2,240		65,655
1804					2,375		56,030
1805					2,660		79,808
1806					2,422		81,909
1807					2,796		86,404
1808					5,762		91,098
1809					6,209		97,111
1810					4,751		104,421
1811					3,981		89,496
1812					4,888		79,230
1813					5,406		75,030
1814					4,786		79,644
1815					3,818		85,969
1816					2,689	Gold and Silver, 1 s.	85,010
1817					3,015		89,021
1818					3,968		105,988
1819					3,863		101,253
1820					2,578		89,323
1821					3,072		84,401
1822					3,291		86,091
1823					3,362		89,577
1824					3,860		104,773
1825					2,388		123,128

IRELAND only.



Amount and Rate of Duty on Gold and Silver Plate in each Year from 1720 to 1877, ended 31st March 1878—*contd.*

YEARS.	ENGLAND.		SCOTLAND.		IRELAND.		UNITED KINGDOM.
	Amount of Duty.	Rate of Duty.	Amount of Duty.	Rate of Duty.	Amount of Duty.	Rate of Duty.	Amount of Duty.
	£.	<i>Per oz.</i>	£.	<i>Per oz.</i>	£.	<i>Per oz.</i>	£.
1826	86,033		5,701		5,108		96,842
1827	91,133		4,449		4,995		100,577
1828	94,230		4,729		5,616		104,575
1829	87,713		4,520		5,186		97,419
1830	81,137		4,495		4,494		90,126
1831	79,513		4,364		3,887		87,764
1832	69,021		3,948		3,891		76,860
1833	66,628		3,926		3,709		74,263
1834	79,876		4,090		2,801	Gold and Silver, 1 s.	86,767
1835	81,893		4,101		2,906		88,900
1836	97,684		4,558		3,107		105,349
1837	89,562		4,620		2,073		96,255
1838	90,448		4,981		2,443		97,872
1839	96,171		4,952		2,491		103,614
1840	92,644		4,075		2,145		98,864
1841	87,681		4,092		1,884		93,657
1842	78,963		3,349		1,941		84,253
1843	70,696		3,099		1,602		75,397
1844	79,513		3,549		1,951		85,013
1845	89,788		3,902		2,342		96,027
1846	92,249		4,293		2,047		98,589
1847	82,128		3,204		1,184		86,516
1848	59,681		2,846		1,016		63,543
1849	58,985		2,472		866		62,323
1850	64,745		2,618		731		68,094
1851	70,252		2,268		817		73,387
1852	65,132	Gold, 17 s. Silver, 1 s. 6 d.	2,163	Gold, 17 s. Silver, 1 s. 6 d.	913		68,208
1853	79,336		2,508		1,059		82,903
Ended 31st March 1855	79,257		2,724		1,028		83,009
1856	70,596		2,369		1,069		74,034
1857	74,176		2,713		1,370		78,259
1858	71,625		2,794		1,271		75,690
1859	63,812		2,540		1,369		67,721
1860	70,456		2,451		1,245	Gold, 17 s. Silver, 1 s. 6 d.	74,152
1861	75,361		2,269		1,249		78,879
1862	62,818		1,858		843		65,519
1863	64,778		1,745		831		67,354
1864	66,803		1,979		676		69,458
1865	70,888		2,042		774		73,204
1866	70,283		2,193		889		73,865
1867	70,056		2,278		809		73,143
1868	65,993		2,090		896		68,979
1869	62,763		2,031		885		65,679
1870	63,183		1,979		877		66,039
1871	59,709		1,900		858		62,467
1872	64,913		1,925		792		67,630
1873	74,136		2,128		728		76,992
1874	80,319		2,012		779		83,110
1875	84,631		1,955		583		87,169
1876	83,599		1,898		696		86,293
1877	79,353		2,092		582		82,027
1878	75,811		2,198		601		78,610

Inland Revenue Office,  
26 June 1878.

PLATE DEALERS' LICENSES.

AMOUNT and RATE of DUTY in each Year from the Imposition of the Duty to the Year 1877, ended 31st March 1878.

Years.	ENGLAND.		SCOTLAND.		IRELAND.		UNITED KINGDOM.
	Amount of Duty.	Rate of Duty.	Amount of Duty.	Rate of Duty.	Amount of Duty.	Rate of Duty.	Amount of Duty.
Com- menced 5th July	£. s. d.		£. s. d.		£. s. d.		£. s. d.
1758	8,881 - 8	2 l.	282 - -	Same Rates as in ENGLAND.	- - -		9,168 - 8
1759	8,421 3 11		219 - -		- - -		8,640 3 11
1760	7,984 1 11		210 - -		- - -		8,194 1 11
1761	7,862 2 6		218 - -		- - -		8,080 2 6
1762	7,918 6 5		156 - -		- - -		8,074 6 5
1763	8,089 19 -		218 - -		- - -		8,307 19 -
1764	7,918 12 8		180 - -		- - -		8,038 12 8
1765	8,010 15 3		196 - -		- - -		8,208 15 3
1766	7,964 4 7		198 - -		- - -		8,163 4 7
1767	8,061 4 5		212 - -		- - -		8,273 4 5
1768	8,133 6 6		200 - -		- - -		8,333 6 6
1769	8,140 - 11		196 - -		- - -		8,336 - 11
1770	8,106 17 3		188 - -		- - -		8,294 17 3
1771	8,175 15 2		182 - -		- - -		8,357 15 2
1772	7,935 10 9		186 - -		- - -		8,121 10 9
1773	7,949 12 5		168 - -		- - -		8,117 12 5
1774	7,824 9 11		186 - -		- - -		8,010 9 11
1775	8,262 4 5		198 - -		- - -		8,460 4 5
1776	8,493 7 9		219 - -		- - -		8,712 7 9
1777	8,099 13 6		253 - -		- - -		8,352 13 6
1778	8,395 11 7		275 - -		- - -		8,670 11 7
1779	7,595 10 11	To sell 2 dwts. and under 2 oz. of Gold, or 5 dwts. and under 30 oz. of Silver, 2 l. 2 s.	277 - -		- - -		7,872 10 11
1780	8,192 12 4		261 - -		- - -		8,453 12 4
1781	7,676 5 4	To sell 2 dwts. and under 2 oz. of Gold, or 5 dwts. and under 30 oz. of Silver, 2 l. 4 s.	227 - -		- - -		7,903 5 4
1782	7,474 2 8		233 - -		- - -		7,707 2 3
1783	7,726 18 11	To sell 2 oz. of Gold, or 30 oz. of Silver, and upwards, 5 l. 5 s.	222 - -		- - -		7,948 18 11
1784	7,326 11 5		212 - -		- - -		7,538 11 5
1785	7,287 15 8	To sell 2 dwts. and under 2 oz. of Gold, or 5 dwts. and under 30 oz. of Silver, 2 l. 6 s.	215 - -		102 - -	Commenced 25th March 1785.	7,604 15 8
1786	7,285 19 1		234 10 -		103 - -		7,623 9 1
1787	8,226 7 -		248 8 -		116 - -		8,590 15 -
1788	8,278 19 7		254 3 -		103 - -		8,631 2 7
1789	8,347 5 4		247 5 -		110 - -		8,704 10 4
1790	8,625 16 7		276 - -		113 - -		9,014 16 7
1791	8,954 12 9		308 4 -		103 - -		9,365 16 9
1792	8,796 17 -		279 9 -		101 - -		9,177 6 -
1793	8,602 18 8		227 14 -		96 - -		8,926 12 8
1794	8,709 10 5		254 3 -		78 - -		9,041 13 5
1795	8,999 19 6		277 3 -		86 - -		9,363 2 6
1796	8,759 18 -		325 9 -		97 - -		9,182 7 -
1797	8,886 1 10		263 7 -		84 - -		9,233 8 10
1798	9,069 6 7		274 17 -		89 - -		9,433 3 7
1799	9,388 15 2		536 19 -		85 - -		9,810 14 2
1800	9,217 17 3	307 1 -	90 - -		9,614 18 3		
1801	9,667 10 -	316 5 -	96 - -		10,079 15 -		
1802	9,893 14 5	325 9 -	111 - -		10,330 3 5		
1803	9,865 17 -	371 3 -	112 - -		10,349 - -		
1804	10,166 - -	388 14 -	132 3 4		10,686 17 4		
1805	10,246 10 -	To sell 2 dwts. and under 2 oz. of Gold, or 5 dwts. and under 30 oz. of Silver, 2 l. 6 s.	456 11 -	No Account.	In the City of Dublin, and in any City or Town in Ire-land sending one or more Members to Parliament, 5 l. 2 s.	In any other part of Ireland, 2 l.	10,703 1 -
1806	10,405 4 -		484 3 -				10,889 7 -
1807	10,814 12 -		473 16 -				11,288 8 -
1808	11,126 5 -		542 18 -				11,609 1 -
1809	11,525 6 -		592 5 -				12,117 11 -
1810	11,874 18 -		749 16 -				12,624 14 -
1811	11,807 2 -		603 15 -				12,410 17 -
1812	11,824 6 -		592 5 -			In the City of Dublin, &c., &c., 5 l. 5 s.	12,416 11 -
1813	11,632 4 -		587 13 -				12,119 17 -
1814	11,433 6 -		646 6 -				12,079 12 -
							In any other part of Ireland, 2 l. 2 s.

ENGLAND & SCOTLAND ONLY.

ENGLAND & SCOTLAND only.

Amount and Rate of Duty on Plate Dealers' Licences from the Year 1758 to 1877, ended 31st March 1878—continued.

Years.	ENGLAND.		SCOTLAND.		IRELAND.		UNITED KINGDOM.
	Amount of Duty.	Rate of Duty.	Amount of Duty.	Rate of Duty.	Amount of Duty.	Rate of Duty.	Amount of Duty.
	£. s. d.		£. s. d.		£. s. d.		£. s. d.
1815	19,604 1 -	To sell 2 dwts. and under 2 oz. of Gold, or 5 dwts. and under 30 oz. of Silver, 4 l. 12 s.	1,202 - -	Same as ENGLAND.	374 10 6	In the City of Dublin, and in any city or town in Ireland, sending one or more Members to Parliament, 5 l. 5 s. In any other part of Ireland, 2 l. 2 s.	21,180 11 6
1816	18,007 16 -		851 - -		420 17 6		19,279 13 6
1817	18,126 6 -		862 10 -		367 8 3		19,356 4 3
1818	18,457 10 -		812 18 -		369 13 9		19,640 1 9
1819	17,963 - -		662 8 -		374 16 1		19,000 4 1
1820	18,011 6 -		648 12 -		285 15 11		18,945 13 11
1821	17,712 16 -		542 16 -		245 8 3		18,501 - 3
1822	17,871 - -		519 16 -		274 8 5		18,663 4 5
1823	18,379 6 -		487 12 -		271 11 6		19,138 9 6
1824	18,425 6 -		602 12 -		233 15 1		19,261 13 1
1825	18,225 - -	To sell 2 dwts. and under 2 oz. of Gold, or 5 dwts. and under 30 oz. of Silver, 2 l. 6 s.	600 12 -	No Account.	No Account.	In the City of Dublin, and in any city or town in Ireland, sending one or more Members to Parliament, 5 l. 5 s. In any other part of Ireland, 2 l. 2 s.	18,825 12 -
1826	14,448 - -		574 - -				15,022 - -
1827	14,307 - -		869 - -				15,176 - -
1828	15,771 - -		918 - -				16,684 - -
1829	16,349 5 -		922 - -				17,271 5 -
1830	16,199 2 -		915 8 -				17,114 10 -
1831	17,005 4 -		1,047 13 -				18,052 17 -
1832	14,462 10 -		1,013 3 -		555 17 6		16,031 10 6
1833	14,408 3 -		1,075 4 -		476 4 -		15,959 11 -
1834	14,416 8 -		1,064 18 -		383 10 -		15,864 16 -
1835	14,443 5 -	To sell 2 dwts. and under 2 oz. of Gold, or 5 dwts. and under 30 oz. of Silver, 2 l. 6 s.	1,102 17 -	Same as ENGLAND.	583 14 -	Same as ENGLAND.	16,079 16 -
1836	14,502 12 -		1,208 7 -		569 8 -		16,370 7 -
1837	14,119 16 -		1,236 5 -		439 19 9		15,796 - 9
1838	14,619 6 -		1,214 8 -		321 1 6		16,154 15 6
1839	14,621 12 -		1,262 14 -		323 8 -		16,207 14 -
1840	14,649 11 -		1,376 11 -		330 10 -		16,356 12 -
1841	14,550 - -		1,420 5 -		301 2 -		16,271 7 -
1842	14,257 17 -		1,343 4 -		385 - -		15,986 1 -
1843	14,291 14 -		1,432 18 -		1,729 1 3		17,453 13 3
1844	14,630 6 -		1,495 - -		1,637 18 3		17,763 4 3
1845	14,240 12 -	To sell 2 oz. of Gold, or 30 oz. of Silver and upwards, 5 l. 15 s.	1,490 8 -		1,598 5 -		17,329 5 -
1846	14,024 3 -		1,489 5 -		1,385 - 6		16,898 8 6
1847	13,808 - -		1,524 18 -		1,248 18 -		16,581 16 -
1848	13,922 13 -		1,443 5 -		1,204 13 6		16,570 11 6
1849	13,981 9 -		1,466 19 -		1,100 5 3		16,568 13 3
1850	14,635 2 -		1,623 16 -		1,173 - -		17,431 18 -
1851	14,780 15 -		1,616 18 -		1,302 19 5		17,700 12 5
1852	14,843 5 -		1,578 19 -		1,148 9 6		17,570 13 6
1853	15,091 9 -		1,582 8 -		1,078 2 6		17,751 19 6
Years ended 31st March							
1855	15,087 16 -	To sell 2 dwts. and under 2 oz. of Gold, or 5 dwts. and under 30 oz. of Silver, 2 l. 6 s.	1,635 6 -	Same as ENGLAND.	557 15 -	Same as ENGLAND.	17,280 17 -
1856	15,400 12 -		1,749 3 -		507 3 -		17,716 18 -
1857	16,098 17 -		2,232 3 -		573 17 -		18,904 17 -
1858	16,341 10 -		2,140 3 -		609 10 -		19,091 3 -
1859	16,992 8 -		2,167 15 -		855 12 -		20,015 15 -
1860	17,431 14 -		2,195 7 -		797 10 6		20,424 11 6
1861	17,925 1 -		2,228 14 -		708 4 6		20,856 19 6
1862	18,720 17 -		2,398 18 -		552 5 9		21,672 - 9
1863	18,533 8 -		2,469 1 -		788 18 -		21,791 7 -
1864	19,441 18 -		2,611 13 -		754 19 6		22,808 10 6

These Licences were transferred from Stamps to Excise by 27 &amp; 28 Vict. c. 56.

Years.	ENGLAND.			SCOTLAND.			IRELAND.			UNITED KINGDOM.	
	Number Granted.	Amount.		Number Granted.	Amount.		Number Granted.	Amount.		Number Granted.	Amount.
		£. s. d.			£. s. d.			£. s. d.			£. s. d.
1865	6,795	20,903 11 -	To sell 2 dwts. and under 2 oz. of Gold, or 5 dwts. and under 30 oz. of Silver, 2 l. 6 s.	964	2,831 6 -	Same as ENGLAND.	388	1,106 6 -	Same as ENGLAND.	8,147	24,841 3 -
1866	7,161	21,924 15 -		990	2,877 6 -		378	1,014 6 -		8,529	25,816 7 -
1867	7,316	22,429 12 -		1,027	2,986 11 -		363	959 2 -		8,706	26,375 5 -
1868	7,642	24,220 3 -		1,111	3,364 12 3		109	1,268 9 -		8,862	28,553 4 3
1869	7,843	25,042 2 3		1,151	3,478 9 3		527	2,065 8 -		9,521	30,585 19 6
1870	8,125	25,814 18 3		1,193	3,591 9 -		548	2,148 9 9		9,866	31,554 17 -
1871	8,353	26,665 12 6		1,230	3,713 12 9		556	2,159 14 -		10,139	32,538 19 3
1872	8,788	28,012 5 6		1,296	3,923 10 3		574	2,212 12 -		10,658	34,148 7 9
1873	9,326	29,963 16 6		1,397	4,264 9 9		572	2,240 15 6		11,295	36,469 1 9
1874	9,790	31,381 9 9		1,492	4,572 2 3		586	2,318 19 6		11,868	38,272 11 6
1875	10,207	32,563 13 9	To sell 2 oz. of Gold, or 30 oz. of Silver and upwards, 5 l. 15 s.	1,508	4,654 1 -	Same as ENGLAND.	579	2,283 6 6	Same as ENGLAND.	12,294	39,501 1 3
1876	10,467	33,488 - -		1,579	4,885 15 6		604	2,373 - 6		12,650	40,746 16 -
1877	10,561	33,921 16 9		1,610	4,966 13 9		606	2,371 11 9		12,777	41,280 2 3
1878	10,739	34,597 9 3		1,655	5,175 17 3		633	2,443 9 3		13,027	42,216 15 9

\* The Amounts for the year ended 31st March 1868, and following years, include Duty on Licences granted for periods less than a year.

Inland Revenue Office, 26 June 1878.

## Appendix, No. 2.

PAPER handed in by Mr. Farrer.

## Appendix, No. 2. UNREPEALED ENACTMENTS relating to the Manufacture, Marking, and Taxation of GOLD and SILVER GOODS in Order of Date.

1423	2 Hen. VI., c. 17	-	-	-	-	Standard of Gold and Silver: Hall Marks.
1575	18 Eliz. c. 15	-	-	-	-	Ditto, and price of Gold and Silver.
1696	8 & 9 Will. III., c. 8	-	-	-	-	Standard of Silver: Hall Marks.
1700	12 & 13 Will. III., c. 4	-	-	-	-	Goldsmiths' Companies: Assays: Marks.
1702	1 Anne, c. 3	-	-	-	-	Newcastle.
1719	6 Geo. I., c. 11, ss. 1, 2, 41	-	-	-	-	Standards of Silver.
1729	3 Geo. II., c. 3, Ireland, s. 32	-	-	-	-	Ireland.
1733	12 Geo. II., c. 26	-	-	-	-	Standards of Gold and Silver: Marks: Assay.
1741	15 Geo. II., c. 20	-	-	-	-	Gold and Silver Lace.
1757	31 Geo. II., c. 32, ss. 8 and 9	-	-	-	-	License duty.
1758	32 Geo. II., c. 24, ss. 9 and 10	-	-	-	-	License duty.
1772	13 Geo. III., c. 52	-	-	-	-	Birmingham and Sheffield.
1784	23 & 24 Geo. III. (Irish), c. 23	-	-	-	-	Ireland.
1784	24 Geo. III., Sess. 2, c. 20	-	-	-	-	Sheffield Company: Plated Goods.
1784	24 Geo. III. „ c. 53	-	-	-	-	Duty.
1785	25 Geo. III. „ c. 64	-	-	-	-	Duty: Watch cases.
1787	28 Geo. III. „ c. 7	-	-	-	-	Gold and Silver Lace.
1789	30 Geo. III. „ c. 31	-	-	-	-	Exemptions of Silver.
1795	36 Geo. III., c. 60	-	-	-	-	Metal buttons.
1797	38 Geo. III., c. 69	-	-	-	-	Gold Standard lowered.
1807	47 Geo. III., Sess. 2, c. 15	-	-	-	-	Ireland.
1812	52 Geo. III., c. 59	-	-	-	-	Duty: Drawback.
1814	55 Geo. III., c. 185, ss. 2, 4, 7	-	-	-	-	Duty.
1819	59 Geo. III., c. 28	-	-	-	-	Glasgow.
1820	1 Geo. IV., c. 14, ss. 1, 2	-	-	-	-	Duty: Drawback
1824	5 Geo. IV., c. 52	-	-	-	-	Birmingham.
1836	6 & 7 Will. IV., c. 69	-	-	-	-	Scotland.
1842	5 & 6 Vict. c. 47, ss. 59, 60	-	-	-	-	Foreign Plate.
1842	5 & 6 Vict. c. 56, s. 6	-	-	-	-	Foreign Plate.
1842	5 & 6 Vict. c. 82	-	-	-	-	Duty.
1844	7 & 8 Vict. c. 22	-	-	-	-	Criminal Law Consolidation: Mark for Gold.
1849	12 & 13 Vict. c. 80	-	-	-	-	Duty.
1854	17 & 18 Vict. c. 96	-	-	-	-	Standard of Gold.
1855	18 & 19 Vict. c. 60, s. 3	-	-	-	-	Gold Wedding Rings.
1866	29 & 30 Vict. c. 64, s. 15	-	-	-	-	Duty: Drawback.
1867	30 & 31 Vict. c. 90, ss. 1, 7	-	-	-	-	License duty.
1870	33 & 34 Vict. c. 32, s. 4	-	-	-	-	License duty (Watch cases).
1876	39 & 40 Vict. c. 35, s. 2	-	-	-	-	Foreign Plate.
1876	39 & 40 Vict. c. 36	-	-	-	-	Importation of Articles with counterfeited English Marks.

# DIGEST of unrepealed ACTS relating to the Manufacture, Marking, and Taxation of GOLD and SILVER GOODS.

Subjects :	Page.	Subjects :	Page.
1. Standards of Gold and Silver - - -	171	6. Penalties - - - - -	174
2. Compulsory Marking - - - - -	171	7. Assay Offices. Goldsmiths' Companies - - - - -	174
3. Exemptions from Compulsory Marking - - - - -	172	8. Plated Goods - - - - -	175
4. Foreign Plate - - - - -	173	9. Gold and Silver Lace - - - - -	175
5. Taxes - - - - -	173	10. Metal Buttons - - - - -	175

## 1.—STANDARDS OF GOLD AND SILVER.

The standards of gold and silver are as follow:—

### *For Gold.*

In the United Kingdom, 22 carats and 18 carats, and such lower standards, not containing less than one-third of pure gold, as Her Majesty may by Order in Council direct. These have been fixed at 15, 12, and 9 carats.

In addition there is a standard in Ireland of 20 carats.

In Ireland, no refiner may sell gold without alloy, or less fine than with one grain per ounce.

### *For Silver.*

In Great Britain, 11 oz. 10 dwts. per lb., and 11 oz. 2 dwts. per lb.

In Ireland, 11 oz. 2 dwts. per lb.

### *For Silver Wire.*

In Great Britain:—

If not gilt, 11 oz. 15 dwts. per lb.

If gilt, 11 oz. 8 dwts. per lb., and 4 dwts. of gold.

## 2.—COMPULSORY MARKING.

No gold or silver goods may be sold or exported unless they are of the above standards, and are marked as follows:—

### *Marks for Gold.*

Of 22 carats, in England, with crown and 22.

Of 22 carats, in Scotland, with thistle.

{ Of 22 carats, in Ireland, with harp and 22.

{ Of 20 carats, in Ireland, with three feathers and 20.

Of 18 carats, in England, with crown and 18.

Of 18 carats, in Scotland, with thistle and 18.

Of 18 carats, in Ireland, with unicorn's head and 18.

Of 15 carats, in United Kingdom, with 15 and '625.

Of 12 carats, in United Kingdom, with 12 and '5.

Of 9 carats, in United Kingdom, with 9 and '375.

The Commissioners of Taxes, or their present representatives, seem to have the power to alter marks in Ireland.

### *Marks for Silver.*

Of 11 oz. 10 dwts., in England generally, with lion's head and Britannia.

Of 11 oz. 10 dwts., in Birmingham, with Britannia.

Of 11 oz. 10 dwts., in Sheffield, with Britannia.

Of 11 oz. 10 dwts., in Scotland, with thistle and Britannia.

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12 Geo. II., c. 26, s. 1.  
38 Geo. 3, c. 60, s. 1.  
47 Geo. III., Ireland, Sess. 2, c. 15, s. 3.  
6 & 7 Will. IV., c. 69, ss. 1 and 2, Scotland.  
17 & 18 Vict. c. 96, s. 1.  
Order in Council of 11th December 1854.  
23 & 24 Geo. III., Ireland, c. 23, s. 20.

12 Geo. II., c. 26, s. 1.  
6 & 7 Will. IV., c. 69, ss. 1, 2.  
47 Geo. III., Ireland, Sess. 2, c. 15, s. 3.

15 Geo. II., c. 20, s. 2.

7 & 8 Vict. c. 22, ss. 15, 16.  
6 & 7 Will. IV., c. 69, s. 3.  
23 & 24 Geo. III., Ireland, c. 23, s. 3. }  
Ditto, s. 4. }  
47 Geo. III., Ireland, Sess. 2, c. 15, ss. 3, 14. }  
38 Geo. III., c. 69, s. 2.  
5 Geo. IV., c. 52, s. 20, local and personal, Birmingham.  
6 & 7 Will. IV., c. 69, s. 3.  
23 & 24 Geo. III., Ireland, c. 23, s. 5.  
47 Geo. III., Ireland, Sess. 2, c. 15, ss. 3, 14.  
17 & 18 Vict. c. 96, s. 1, and Order in Council of 11th December 1854.

47 Geo. III., Sess. 2, Ireland, c. 15, s. 3.

12 Geo. II., c. 26, s. 5.  
5 Geo. IV., c. 52, s. 20, local and personal.  
13 Geo. III., c. 52, s. 4.  
6 & 7 Will. IV., c. 69, s. 3.

Of

## Appendix, No. 2.

12 Geo. II., c. 26, s. 5.

5 Geo. IV., c. 52, s. 20, local and personal.

13 Geo. III., c. 52, s. 4.

6 &amp; 7 Will. IV., c. 69, s. 3.

47 Geo. III., Sess. 2, Ireland, c. 15, s. 3.

Of 11 oz. 2 dwts., in England generally, with leopard's head, lion passant, or mark of provincial company.

Of 11 oz. 2 dwts., in Birmingham, with lion passant.

Of 11 oz. 2 dwts., in Sheffield, with lion passant.

Of 11 oz. 2 dwts., in Scotland, with thistle.

In Ireland the marks for silver do not seem to be determined by the Statutes, but are those in use in 1807, or as determined by the Commissioners of Taxes.

*Marks for Silver and Gold.*

In addition to the above marks, all gold and silver ware must bear the following marks, viz. :—

- (1.) The maker's mark and his initials.
- (2.) A mark denoting the year in which the article is made.
- (3.) Where duty is payable, the mark of the King's head; and in Ireland the figure of Hibernia.
- (4.) In England, if marked elsewhere than in London, the arms of the City or other mark of the Provincial Company.

The mark of the Birmingham Company is an anchor.

The mark of the Sheffield Company is a crown.

*Marking Altered Goods.*

If marked gold or silver ware is altered, so that its character and use are changed, or if it is added to in a greater proportion than 4 oz. to the lb., it must be assayed and marked afresh.

*Watch Cases.*

The exporters of gold and silver watches are obliged to mark on the inside of every watch case the same numbers as are engraved on the works.

*Penalties and Prohibitions.*

In all parts of the United Kingdom, a maker or dealer who sells goods without the requisite marks, is liable to a penalty.

In Ireland the buyer is also liable to a penalty.

Clocks, watches, and other articles bearing a counterfeited British mark, or purporting to be manufacture of the United Kingdom, may not be imported, and if imported, may be seized and forfeited.

## 3.—EXEMPTIONS FROM COMPULSORY STANDARD AND MARKING.

12 Geo. II., c. 26, s. 2.

In England, are exempted from obligation to comply with the standards—jeweller's work, i.e., gold or silver in which stones are set (other than mourning rings); jointed night earrings of gold, and gold springs of lockets.

12 Geo. II., c. 26, s. 6.

In England, are exempted from compulsory marking, the following articles in gold, viz.: rings, collars for rings or other jewels, chains, necklace beads, lockets, hollow or raised buttons, sleeve buttons, thimbles, coral sockets and bells, ferrils, pipe lighters, cranes for bottles, very small book clasps, any stock or garter clasps jointed, very small nutmeg graters, rims of snuff-boxes whereof tops or bottoms are made of shell or stone, sliding pencils, toothpick cases, tweezer cases, pencil cases, needle cases, any filigree work, any sorts of tippings or swages on stone or ivory cases, any mounts, screws, or stoppers to stone or glass bottles or phials, any small or slight ornaments put to amber or other eggs or urns, any wrought seal or seals with cornelian or other stones set therein, or any gold or silver vessel, plate, or manufacture of gold or silver, so richly engraved, carved or chased, or set with jewels or other stones, as not to admit of an assay to be taken of, or a mark to be struck thereon, without damaging, prejudicing, or defacing the same, or such other things as by reason of the smallness or thinness thereof, are not capable of receiving the marks hereinbefore mentioned or any of them, and not weighing 10 dwts. of gold or silver each.

30 Geo. III., c. 31, ss. 3, 4, and 5.

In England, are exempted from compulsory marking, the following articles in silver, viz.: silver chains and necklace beads, lockets, any filigree work, shirt buckles or brooches, stamped medals, or spouts to china, stone, or earthenware teapots of any weight whatever, also tippings, swages, or mounts, or any of them not weighing 10 dwts. of silver each, except necks and collars for castors, cruets, or glasses appertaining to any sorts of stands or frames, also silver wares not weighing 5 dwts., except necks, collars, and tops for castors, cruets, or glasses appertaining to any sorts of stands or frames, buttons to be fixed to or set on any wearing apparel, solid sleeve buttons and solid studs not having a bisseled edge soldered on; wrought seals, blank seals, bottle tickets, shoe clasps, patch boxes, salt spoons, salt shovels, salt ladles, tea spoons, tea strainers, caddy ladles, buckles, (shirt buckles or shirt brooches before mentioned, excepted), and pieces to garnish cabinets or knife cases or tea chests, or bridles, or stands, or frames.

In

In the Birmingham Act the above exemptions seem to be implied, but the Act is not clear.

5 Geo. IV., c. 52, ss. 20, 23, and 24, local and personal.

6 & 7 Will. IV., c. 60, s. 16.

In Scotland are exempted from compulsory marking the following articles in gold, viz.: rings, collets for rings or other jewels, chains, necklace beads, lockets, medals, hollow or raised buttons, sleeve buttons, thimbles, coral lockets and bells, ferrils, pipe lighters, cranes for bottles, very small book clasps, stock or garter clasps jointed, very small nutmeg graters, rims of snuff boxes whereof the tops and bottoms are made of shell or stone, sliding pencils, toothpick cases, tweezer cases, pencil cases, needle cases, any filigree work, any sorts of tippings or swages, on stone or ivory cases, any mounts, screws, or stoppers to stone or glass bottles or phials, any small or light ornaments put to amber or other eggs of urns, any wrought seals, or seals with cornelian or other stones set therein, or any gold, vessel, plate, or manufacture so richly engraved, carved, or chased, or set with jewels or other stones, as not to admit of an assay to be taken thereof, or a mark to be struck thereon, without damaging, prejudicing, or defacing the same, or such other things as by reason of the smallness or thinness thereof are not capable of receiving the marks hereby required, or any of them, and not weighing 10 dwts. of gold each.

In Scotland are exempted from compulsory marking the following articles in silver, viz.: chains, necklace beads, lockets, any filigree work, shirt buckles or brooches, stamped medals, or spouts to china, stone, or earthenware teapots, or any of them, of any weight whatsoever, or tippings, swages, or mounts, or any of them, not weighing 10 dwts. of silver each, or any necks or collars for castors, cruets, or glasses appertaining to any sort of stand or frame, or any ware of silver whatsoever, not weighing 4 dwts. of silver each, or any buttons to be affixed or set on any wearing apparel, solid sleeve buttons, and solid studs, not having a bisseled edge soldered on, wrought seals, blank seals, bottle tickets, shoe clasps, patch boxes, buckles, or any pieces to garnish cabinets of knife cases or tea chests, or bridles, or stands, or frames.

s. 17.

In Ireland are exempted from compulsory marking the following articles in gold, viz.: rings, collets for rings, earrings, necklace beads, lockets, ferril necks of bottles, pocket book clasps, any jointed stock clasps, rims of snuff boxes, whereof the tops or bottoms are made of shell, tortoiseshell, ivory, wood, crystal, or stone, and filigree work, any sorts of tippings or swages on shell, tortoiseshell, ivory, wood, crystal or stone cases, any mounts, screws or stoppers to stone, crystal or glass bottles, or phials, or any small or slight ornaments put to amber or other eggs, or urns, or any manufacture of gold so covered on all sides with amel or enamel, as not to admit of any assay to be taken thereof, and the marks and stamps aforesaid to be struck thereon, or such other things as by reason of their smallness or thinness are not capable of receiving the marks aforesaid, or such other manufactures as do not weigh 6 dwts. of gold each.

23 & 24 Geo. III., Ireland, c. 23, s. 6.

In Ireland are exempted from compulsory marking the following articles in silver, viz.: "silver ware, or such things not exceeding 4 dwts., which in respect of their smallness are not capable of receiving a mark,"

47 Geo. III., Ireland, Sess. 2, c. 15, s. 14.

Gold wedding rings are, notwithstanding the above exemptions, to be assayed, and marked throughout the United Kingdom.

18 & 19 Vict. c. 60, s. 3.

#### 4.—FOREIGN PLATE.

Foreign gold and silver plate, not being battered, if imported, must be of the standards required for British plate, and be assayed, taxed and marked in the same manner.

5 & 6 Vict. c. 47, ss. 59, 60.

Ornamental plate, made before 1800, of which proof lies on the seller, exempted.

5 & 6 Vict. c. 56, s. 6.

Foreign plate to be marked with an F, in addition to the marks on British plate.

39 & 40 Vict. c. 35, s. 2, re-enacting 30 & 31 Vict. c. 82, s. 24.

#### 5.—TAXES.

##### *Licenses.*

Annual licenses are to be taken out, by—

Every dealer in gold and silver articles in respect of any shop, and by every hawker or pedlar.

30 & 31 Vict. c. 80, s. 1.

If gold is above 2 dwts. and under 2 oz., or if silver is above 5 dwts. and under 30 oz., at - - - - - £. s. d.

If gold is 2 oz. or more, or silver is 30 oz. or more, at - - - - - 2 6 -

Every pawnbroker taking in gold or silver in respect of every shop - - - - - 5 15 -

Every refiner in respect of every shop - - - - - 5 15 -

No license required for dealing in gold or silver wire, thread or lace.

s. 4.

No license required by makers of watch cases for selling watch cases made by them.

33 & 34 Vict. c. 32, s. 4.

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Duty



## Appendix, No. 2.

*Duty.*

- 55 Geo. III., c. 185, s. 2. Duty on gold plate, marked. 17 s. per oz.  
 „ silver plate, marked, 1 s. 6 d. per oz.  
 Gold and silver watch cases are exempted.
- 5 & 6 Vict. c. 82, s. 2. Articles exempted from compulsory marking by 30 Geo. III., c. 31, are exempted from duty.
- 17 & 18 Vict. c. 96, s. 3. Gold wares which are assayed and marked, but not compulsorily, are not subject to duty.
- 18 & 19 Vict. c. 6, s. 3. Gold wedding rings are subject to duty.
- 25 Geo. III., c. 64, s. 1. A deduction of one-sixth is allowed for unfinished plate.
- 25 Geo. III., c. 64, ss. 3, 5, 6.; 52 Geo. III., c. 59; 1 Geo. IV., c. 14, ss. 1, 2. Drawback of duty is given on exportation, but not on gold rings or gold wares not exceeding 2 oz.
- 24 Geo. III. c. 53 ; 47 Geo. III., Sess. 2, Ireland, c. 15, ss. 5 to 13. Duty to be charged by companies, and accounted for and paid over.
- 12 & 13 Vict. c. 80, s. 2. Allowance for collection, 1 per cent.  
 Duty on imported plate. *See Foreign Plate.*

## 6.—PENALTIES.

- 7 & 8 Vict. c. 22. s. 2. Forgery or fraudulent use, or possession of dies or marks is made felony, and punishable with transportation and imprisonment; now penal servitude.
- „ „ s. 3. Selling, importing, exporting, or possessing without lawful excuse, gold or silver or base metal, having on it a forged mark, punishable by a penalty of 10 l. Proof of excuse to lie on the party accused.
- „ „ s. 4. Innocent dealers are exempted from this penalty on informing against the manufacturer or seller.
- „ „ s. 7. Marking goods below the standard subjects the Company to a penalty of 20 l., the assayer to dismissal, and the goods to seizure.
- „ „ s. 9. Erasing a mark is made punishable by a penalty of 10 l.
- „ „ ss. 12, 13. Companies may obtain search warrant to search for forged dies, and false or illegal wares, and may, on proving wares to be false or illegal to the satisfaction of a justice, break them, and appropriate the proceeds to their expenses. This is not to apply to certain specified articles of daily wear.
- 6 & 7 Will. IV., c. 69, s. 19. The above Act applies to England only; but some provisions of a similar nature are contained in the Acts which apply to Scotland and Ireland.
- 23 & 24 Geo. III., Ireland, c. 23, s. 28.  
 47 Geo. III., Sess. 2, Ireland, c. 15, s. 16.

## 7.—ASSAY OFFICES. GOLDSMITHS' COMPANIES.

- 12 Will. III., c. 4. The bodies empowered to assay gold and silver are the Goldsmiths' Companies in London, Birmingham, Sheffield, Chester, Newcastle-on-Tyne, Edinburgh, Glasgow, and Dublin.
- 1 Anne, c. 3.  
 12 Geo. II., c. 28.  
 6 & 7 Will. IV., c. 69, Scotland.  
 3 Geo. II., c. 3, Ireland, local and personal.  
 12 Geo. II. c. 26, ss. 11 to 20; 7 & 8 Vict. c. 22.  
 23 & 24 Geo. III., Ireland, c. 23.  
 13 Geo. III., c. 52, Sheffield.  
 5 Geo. IV., c. 52, local and personal, Birmingham.  
 17 & 18 Vict. c. 96, s. 5.
- At York, Norwich, Exeter, and Waterford, companies seem to have been incorporated, but nothing is now done in those cities.
- The Sheffield Company has power to assay and mark silver only.
- The Goldsmiths' Company in London act under 12 Geo. II., c. 26, and 7 & 8 Vict. c. 22. The wardens and assayers have power to reject plates in which there is too much solder, or which is not sufficiently forward or put together; and to break up plate found deficient after three assays. Provision is made by these Acts for weighing, assaying, marking, and returning the plate to the maker, and also for certain charges to be made by the Company.
- The Acts relating to these different provincial bodies differ in some respects as to the constitution of the companies and otherwise; but generally speaking they provide for the following objects:—
- The election into the body of the goldsmiths and silversmiths of the place and neighbourhood.
- The appointment of wardens and of an assayer.
- The reception, weighing, assaying, marking, and returning goods of proper standard.
- The rejection of goods imperfectly finished or put together, or too much soldered.
- The cutting open of goods suspected to contain base metal.
- The retention of a certain proportion of "scrapings," of which a part, "the diet," is to be carefully preserved for purpose of being tested by some independent authority.
- The

The breaking of goods found below the standard.

The collection of the duty.

The levying of certain fees.

The companies and their assayers are made subject to penalties for marking below the standard.

Secrecy is imposed on the wardens and assayers.

The Dublin Goldsmiths' Company may appoint assayers for any part of Ireland.

All workers and dealers in gold and silver must register their names, works, and addresses, with some of these companies, but they may select whichever they choose.

12 & 13 Will. III., c. 4.  
19 Geo. II., c. 28, s. 21.  
19 Geo. III., c. 52, s. 13.  
23 & 24 Geo. III., Ireland,  
c. 23, s. 34.  
5 Geo. IV., c. 52, s. 21, local  
and personal.  
6 & 7 Will. IV., c. 69, s. 2.  
7 & 8 Vict. c. 22, s. 8.  
17 & 18 Vict. c. 96, s. 2.

#### 8.—PLATED GOODS.

Makers of plated goods in Sheffield must not put letters on them unless they have first been approved by and registered with the Company.

Makers of plated goods in Scotland must not put letters upon them.

13 Geo. III., c. 62, s. 15.  
24 Geo. III., Sess. 2, c. 20,  
ss. 2, 3, 4.  
6 & 7 Will. IV., c. 69, s. 20.

#### 9.—GOLD AND SILVER LACE.

Very elaborate provisions are made by these Statutes, prescribing the quantity of silver, gold, and base metal to be used in silver and silver-gilt lace and embroidery, and the different materials on which the same are to be worked : and the manner in which it is to be done.

15 Geo. II., c. 20.  
28 Geo. III., c. 7.

At a certain part of the operation an Excise officer has to be present.

An exception is made in favour of theatrical dresses.

#### 10.—METAL BUTTONS.

Very elaborate provisions are made by this Statute defining what are to be considered glit or plated metal buttons, and prescribing the manner in which such buttons shall be marked, ornamented and exposed for sale.

36 Geo. III., c. 60.

Board of Trade, }  
July 1878. }

*T. H. Farrer.*

### Appendix, No. 3.

PAPERS handed in by Mr. *Prideaux*.

Appendix, No. 3.

### GOLD AND SILVER WARES.

IN compliance with the request made to me by the Committee of the House of Commons appointed to inquire as to the hall marking of gold and silver plate, I have prepared the following summary for the purpose of acquainting the Committee with the history of legislation on this subject.

I have divided it into three parts. The first part contains a summary of laws and orders which (with the exception of the Acts establishing assay offices in certain country towns) have been for the most part superseded by later Statutes, or have become obsolete. The second part commences with the Act which contains the chief provisions which regulate the practice of assaying and marking plate in England, at the present time, viz., the 12 Geo. 2, c. 26; and this part contains a summary of all the other Acts which have been passed since, and which are now, wholly or partially, in force except the Acts which relate to the plate and license duties (a summary of which has, I am informed, been prepared by the Secretary of the Board of Inland Revenue), and except the Charters and Acts relating to the assay offices in Scotland and Ireland and the Acts by which the offices at Birmingham and Sheffield were established and are regulated, which are very briefly noticed in Part III.

Goldsmiths' Hall, July 1878.

*Walter Prideaux,*  
Clerk of the Goldsmiths' Company.

### SUMMMARY OF ACTS OF PARLIAMENT AND CHARTERS.

#### PART I.

1300,

Stat. 28 Edw. 1, Stat. 3, c. 20 ordains (*inter alia*) that no goldsmith of England, nor none otherwise within the King's Dominion, shall make, or cause to be made any vessel, jewel, or other thing of gold or silver, except it be of good and true allay, that is to say, gold not worse than the touch of Paris, and silver of the sterling allay, or better; and that none work worse silver than money. And that no vessel of silver depart out of the hands of the workers until it be assayed by the wardens of the craft, and marked with the leopard's head. And that the wardens of the craft shall go from shop to shop among the goldsmiths to assay if their gold be of the same touch, and if they find any other, the gold shall be forfeit to the King; and that all the good towns of England, where any goldsmiths dwell, shall be ordered according to this Statute, as they of London be; and that one (for the rest) shall come from every good town to London to be ascertained of their touch. And if any goldsmith be attainted that he hath done otherwise, he shall be punished by imprisonment and by ransom at the King's pleasure.

*Note.*—This Statute is prior to the first Charter granted to the Goldsmiths' Company, and shows that the company was then a Corporation; and that all the plate then made in the King's Dominions was assayed by them.

1327.

The first Charter granted to the company bears date the 30th March, 1st Edward 3, and recites, "That the goldsmiths of our City of London, by their Petition exhibited to us and our council, in our Parliament holden at Westminster after the Feast of the Purification of our Lady last past, have shown (*inter alia*) that the cutlers cover tin with silver so subtilly, and with such sleight, that the same cannot be discerned and severed from the tin, and by that means they sell the tin so covered for fine silver, to the great damage and deceit of us and our people. Whereupon the said goldsmiths have petitioned us, that we would be pleased to apply convenient remedy therein; and we being willing to prevent the said  
"evil,

“evil, do, by and with the assent of the Lords Spiritual and Temporal, and the Commons of our Realm, for the common profit of us and our people, will and grant, for us and our heirs (*inter alia*) that those of the said trade may by virtue of these presents, elect honest, lawful, and sufficient men, best skilled in the said trade, to inquire of the matters aforesaid; and that they so chosen may, upon due consideration of the said craft, reform what defects they shall find therein, and thereupon inflict due punishment upon the offenders, and that by the help and assistance of the mayor and sheriffs, if occasion be. And that in all trading cities and towns in England, where goldsmiths reside, the same ordinance be observed as in London; and that one or two of every such city or town, for the rest of that trade, shall come to London to be ascertained of their touch of gold and there to have a stamp, of a puncheon of a leopard’s head, marked upon their work, as of ancient time it has been ordained.”

Appendix, No. 3.

Stat. 37 Edw. 3, c. 7, ordains that goldsmiths, as well in London as elsewhere within the realm, shall make all manner of vessel, and other work of silver, well and lawfully of the allay of good sterling; and that every master goldsmith shall have a mark by himself, and the same mark shall be known by them, which shall be assigned by the King to survey their work and allay; and that the said goldsmiths set not their mark upon their works till the said surveyors have made their assay, as shall be ordained by the King and his council; and after the assay made, the surveyors shall set the King’s mark, and after the goldsmith his mark, for which he will answer. And they which shall be so assigned in every town shall make their searches as oftentimes as shall be ordained; and for that which shall be in the goldsmith’s default they shall forfeit to the King the value of the metal which shall be found in default.

1363.

*Note.*—This Statute contains some other provisions of small importance.

Another charter to the Goldsmiths’ Company bears date the 6th of February, 16th Rich. 2, whereby that King granted license to the men of the craft of goldsmiths of the city of London, that from thenceforth they be a perpetual community or society of themselves; and that the said society or company may for ever yearly elect out of themselves four wardens, to oversee, rule, and duly govern the said craft and community, and every member of the same.

1392.

Stat. 5 Hen. 4, c. 13, recites, that many fraudulent artificers, imagining to deceive the common people, do daily make locks, &c., of copper and of latten, and the same over-gilt and silver like to gold or silver, and the same sell and put in gage to many men, not having full knowledge thereof, for whole gold and whole silver, to the great deceit, loss, and hindrance of the common people, and the wasting of gold and silver. And ordains that no artificer nor other man shall gilt nor silver any such locks, rings, beads, candlesticks, harness for girdles, chalices, hilts nor pomels of swords, powder-boxes, nor covers for cups, made of copper or latten, upon pain to forfeit to the King 100s. every time, and to make satisfaction to the party grieved for his damages; but that (chalices always excepted) the said artificers may work ornaments for the Church of copper and latten, and the same gilt or silver, so that always in the foot, or in some other part of every such ornament, the copper and latten shall be plain, to the intent that a man may see whereof the thing is made, for to eschew the deceit as aforesaid.

1403.

Stat. 2 Hen. 5, s. 2, c. 4, recites, that the goldsmiths of England, of their covin and ordinances, will not sell the wares of their mystery gilt but at the double price of the weight of the silver of the same, which seemeth to the King very outrageous, and too excessive a price, the King, for the ease of his people willing to remedy the same, hath ordained and established, that all the goldsmiths of England shall gild no silver worse than of the allay of the English sterling, and that they take for a pound of troy gilt but 46s. 8d. at the most, and of greater weight and less, according to the quantity and rate of the same sum; and that which shall be by them gilt from henceforth shall be of reasonable price, and not excessive; and if any goldsmith do contrary to this Statute, he shall forfeit to the King the value of the thing so sold.

1414.

Stat. 8 Hen. 5, c. 3, ordains, that none shall gild any sheaths nor metal, but silver and church ornaments; nor shall silver no metal but knights’ spurs, and all the apparel that pertaineth to a baron and above that estate, upon pain of forfeiture to the King 10 times as much as the thing so gilt is of value, and shall have also one year’s imprisonment; and the justices of the peace shall have power to inquire thereof, and that to determine; and he that will sue for the King shall have the third part of the said pecuniary forfeiture.

1420.

Stat. 2 Hen. 6, c. 14, ordains, that no goldsmith or worker of silver in London sell any workmanship in silver unless as fine as sterling, except necessary solder in the making; and that no goldsmith, nor jeweller, nor other that worketh harness of silver, shall set the same to sell within the City before touched with the leopard’s head, if it may reasonably bear the same, and also with the workman’s mark, on forfeiture of double; and that the mark of every goldsmith be known to the wardens of the same craft; and if the said keeper of the touch touch any such harness with the leopard’s head, except it be as fine in allay as the sterling, he shall forfeit the double value to the King and to the party. And it is likewise ordained, in the city of York, Newcastle-upon-Tyne, Lincoln, Norwich, Bristol, Salisbury, and Coventry, that every one shall have divers touches, according to the ordinance of the mayors, bailiffs, or governors of the same towns; and that no goldsmith nor other workers

1423.

Appendix, No. 3. of silver, nor keeper of the said touches within the same towns, shall set to sale or touch any silver in other manner than in London, on pain of the said forfeiture. And that no goldsmith or other worker of silver in England, where no touch is ordained, shall work any silver except it be as fine in allay as the sterling, and that he set thereon his mark before he set it to sale; and if it is not as fine, he shall forfeit double value, as in London; and justices, &c., shall hear, inquire, and determine offences, and make due execution by their discretions.

*Note.*—It appears that before the last Statute all the gold and silver plate made in England was assayed and marked at Goldsmiths' Hall in London.

1462. Another Charter to the Company of Goldsmiths in London bears date the 30th of May, 2 Edw. 4, and grants (*inter alia*), as follows: "And for the credit of the men of the said craft, dwelling and residing in the said city, for the time being, and for the preventing and avoiding the damage and loss, which do or may daily happen and arise, as well to us as to any of our liege people, for want of a due and provident care in regulating certain of our subjects and others using and exercising the said trade, without any regard to the credit of the said company, and also for the preventing and taking away the subtilties and deceits practised in the said trade. We have further granted, and by these presents do grant, to the said now wardens and commonalty, and their successors for ever, that the wardens of the said mystery for the time being shall and may for ever have the search, inspection, tryal and regulation of all sorts of gold and silver, wrought, or to be wrought, and to be exposed to sale within the City of London, and the suburbs thereof, and in all fairs and markets, and all cities, towns, and boroughs, and all other places whatsoever throughout our kingdom of England; and also shall and may have power to punish and correct all defects that shall be found in the working of gold and silver; and also by themselves, or any of them, to break all such deceitful works and wares of gold and silver, of what sort soever, if any such they shall find, to be made, wrought, and exposed to sale, in deceit of our people."

1477. Stat. 17 Edward 4, c. 1, directs (*inter alia*) that no goldsmith, or worker of gold or silver, shall work, or put to sale, any gold under the fineness of 18 carats, nor silver, unless it be as fine as sterling, except such thing as requireth solder; also, that no goldsmith work, or set to sale harness of silver plate, or jewel of silver, from the feast of Easter, within the City of London, or within two leagues\* of London, before it be touched with the leopard's head crowned, such as may bear the said touch, and also with a mark or sign of the worker of the same so wrought, upon pain of forfeiture of the double value of such silver wrought and sold to the contrary; that the mark or sign of every goldsmith be committed to the wardens of the same mystery, and if it be found that the keeper of the touch of the leopard's head crowned, do mark or touch any harness with the leopard's head, if it be not as fine in alloy as sterling, he shall forfeit double the value of the silver, and that the craft of goldsmiths of London shall be answerable for the non-sufficiency of the warden.

This Statute was enacted for seven years, and was afterwards re-enacted for 20 years in 1489, and again for 20 years in 1552 by 7 Edw. 6, c. 6.

1488. Stat. 4 Hen. 7, Parl. 3, c. 2, recites, That it was of old time used and continued till now of late years, that there was, for the weal of the King and the realm, finers and parters of gold and silver, by fire and water, under a rule and order belonging to the mints of London, Calais, Canterbury, York and Durham, and other places, where mints been holden, and at the Goldsmiths' Hall, in London, to fine and part all gold and silver, belonging and needful for the said mints and fellowship of goldsmiths, for the amendment of money and plate of the realm, that every thing might be reformed to the right standard as well in money as plate, to the least cost, for the weal of the King's noblemen of the land and common people; but now that such finers and parters dwell abroad in every part of this realm, out of the rules aforesaid, and buy gilt silver from the mints, changes, and goldsmiths, and part and fine it, and for the most part of the silver so fined, they do allay in divers manners, and sell it to every man that will buy of them, to make such works as pleaseth the buyers; therefore men can get no fine silver, when they need it, for their money, for the amendment of money and plate, as hath been in times past, wherefore it causeth money and plate, in divers places of the realm, to be made worse in fineness than it should be, as it appeareth evidently in divers places, to the great hurt of the King's noblemen and common people. And enacts (*inter alia*), that no finer nor parter of gold and silver allay any fine silver or gold, and none sell in any otherwise, and to any person or persons, but only to the officers of mints, changes, and goldsmiths within this realm, for augmentation and amending of coin and plate; and that no finer nor parter sell to no person any manner of silver in mass, molten and allayed, on forfeiture of the same, one-half to the King, and the other half to the finder, that can prove and will sue for it in the Exchequer.

1504. Henry 7, by an inexpressible Charter of the 20th year of his reign, confirmed all the preceding Charters; and, on account of the company being opposed in their trade search and assay, granted by Edward 4, gave them the additional power to imprison or fine defaulters in the trade at their discretion; to seize and break unlawful work; to compel the trade, within

\* This Statute is in Norman French; this word in the original is "leuker."

within three miles of the City, to bring their work to the company's common hall, to be assayed and stamped; and gave them power, for ever, when it was not standard, to utterly condemn the same, without rendering account to the Crown.

Stat. 18 Eliz. c. 15, recites, that certain evil-disposed goldsmiths deceitfully do make and sell plate, and other gold and silver wares, to the great defrauding of Her Majesty and her good subjects; and enacts, that no goldsmith shall work, sell or exchange, or cause, &c., any wares of gold, less in fineness than 22 carats, and that he use no solder, &c., more than necessary for finishing the same, on pain to forfeit the value of the thing so sold or exchanged, and that no goldsmith shall make, sell, or exchange, any wares of silver less in fineness than 11 ounces 2 pennyweight; nor put to sale, exchange, or sell, any plate or goldsmiths' work of silver, before he hath set his own mark to so much thereof as conveniently may bear the same, upon pain to forfeit the value of the thing so sold or exchanged. And if any goldsmith shall make any plate, and the same shall be touched, marked, and allowed for good, by the wardens or masters of that mystery, and if in the same there shall be found any falsehood or deceit, then the wardens and corporation of that mystery, for the time being, shall forfeit and pay the value of the thing so exchanged or sold.

1576.

Charters were granted to the Goldsmiths' Company by James the First, in the second year of his reign, and by Charles the Second in the 18th year of his reign. These Charters were *inspeximus* Charters, or Charters of Confirmation, and did not much enlarge the powers which had previously been given to the Company for the supervision of the standards of plate, except that the Charter of Charles 2, which, it will be observed, is recited in the Act of 12 Geo. 2, c. 26, empowered the wardens to commit offenders to prison, and to set fines upon them.

1604.

1666.

Stat. 6 & 7 Will. 3, c. 17, s. 8, empowers one or more of the wardens, with two or more of the court of assistants, of the Company of Goldsmiths in London, to search for unlawful bullion.

1695.

Stat. 8 Will. 3, c. 8, s. 1, after reciting that it might reasonably be suspected that part of the silver coins of this realm had been by persons regarding their own private gain more than the public good, molten and converted into vessels of silver or other manufactured plate, which crime had been the more easily perpetrated by them, in regard the goldsmiths or others, workers of plate, by the former laws and Statutes of this realm, were not obliged to make their plate of finer silver than the sterling or standard ordained for the moneys of this realm.

1696.

Sect. 9 enacts, that from the 25th of March 1697, no person shall work any silver plate less in fineness than 11 ounces 10 pennyweight of fine silver per pound troy; nor put to sale, exchange, or sell the same (unless it be silver wire, or such things as in respect of their smallness are not capable of receiving a mark) until marked with the worker's mark, the marks of the mystery or craft of the goldsmiths, which, instead of the leopard's head and the lion, shall, for this plate, be a lion's head erased, and the Britannia, and a distinct variable mark to be used by the warden of the said mystery to denote the year in which such plate is made, on forfeiture of such manufactured silver, or the value thereof. And if such plate shall be touched, marked or allowed for good, by the wardens or masters of the said mystery, or those authorised or employed by them for the assaying and marking of plate; and if in the same there shall be found any falsehood or deceit, then the wardens and corporation of that mystery for the time being shall forfeit and pay the value of the plate so deceitfully marked.

This Statute also provided for the ready purchase by the Mint of any wrought plate bearing the stamps of the Goldsmiths' Company of London, at 5 s. 4 d. per ounce.

*Note.*—It will be seen that the object of raising the standard was to prevent silver coin being converted into plate.

In this Act the provincial assay offices were not mentioned, and they appear, therefore, to have been deprived of the power of marking silver plate, because they were not empowered to use the marks for the new standard.

This standard lasted until 1719. (*See* Stat. 6 Geo. 1, c. 2.)

The year mark had been used long before this time.

Stat. 9 & 10 Will. 3, c. 28, recites, that by an Act of the 7th & 8th of Will. 3, c. 19, no wrought plate can be shipped off, under the great penalties therein contained, whereby no home-wrought manufactured plate, though never so beneficial to the artificers and trade of this kingdom, is permitted to be exported; which was at that time a good and wholesome law, and tended to the benefit of the kingdom, by keeping bullion at home to be coined: And also recites the said Act of the 8th of Will. 3, c. 8: And that a great benefit may accrue to many artificers, and to the kingdom in general, by giving liberty to export watches, sword-hilts, wrought plate, and several other silver manufactures made within this kingdom, being of the fineness prescribed in the last recited Act. And enacts, that after the 24th of June 1698, it shall be lawful to export such watches, &c., according to the rules prescribed in the said last recited Act, as shall be yearly allowed by the Commissioners of the Customs.

1698.

Stat. 12, Will. 3, c. 4, recites, that the goldsmiths, silversmiths, and plate workers,  
0.117. A A remote

1700.

**Appendix, No. 2.** remote from London, are under great difficulties and hardships in the exercise of their trades, for want of assayers in convenient places to assay and touch their wrought plate; and therefore, for remedy thereof, and for preventing all frauds and corruptions therein.

**Sect. 1.** Appoints the several cities, where the mints were lately erected for recoining the silver money, viz., York, Exeter, Bristol, Chester, and Norwich, for the assaying and marking of wrought plate, and for executing the powers, authorities, and directions given by this Act.

**Sect. 2.** Incorporates the goldsmiths, silversmiths, and plateworkers, freemen of, and inhabiting within, any of the said cities, and having served an apprenticeship to the said trade, the Company of Goldsmiths of such city respectively, and enables them annually to choose two wardens, who shall continue for one year, and no longer, unless re-elected.

**Sect. 3.** Enacts, that no goldsmith, &c. there shall work any silver plate less in fineness than the standard, nor put to sale, exchange, or sell the same until marked with the worker's mark, the lion's head erased, the Britannia, the arms of the city, and a variable yearly Roman letter.

**Sect. 4.** Enacts, that each of the said companies shall elect an able and skilful man, experienced in assaying of gold and silver, who may detain eight grains per pound troy of silver he shall assay, four grains whereof shall be put into the diet box, and the other four grains shall be allowed him for his waste and spillings in making the said assays; and appoints the oath he shall take immediately after his election before the mayor.

**Sect. 6.** Enacts, that the diet-box shall be locked up with three keys, kept by the wardens and assayer, and shall be at the company's charge conveyed annually (if required by the Lord Chancellor or Keeper) to the Mint at the Tower, and the diet therein tried as the pix of the coin is tried; and if any falsehood or deceit therein, the company shall forfeit 50*l.*, to be recovered against such company, or any member thereof in his private capacity: and if any plate shall be touched, marked, or allowed for good by the assayer, and any deceit found therein, he shall forfeit double the value thereof.

**Sect. 7.** Enacts, that every goldsmith, &c. inhabiting there or elsewhere, shall first enter his name, mark, and abode with the wardens of such company of that city or place where an assayer is or shall be appointed, which shall be done without fee. And if such goldsmith shall not enter his mark, or shall strike any unentered mark on plate, he shall forfeit double the value thereof.

**Sect. 8.** Enacts, that if any person shall counterfeit any of the stamps appointed by this Act to be used by the said wardens or assayers for marking wrought plate, or any of the stamps used by the wardens of the Company of Goldsmiths of the City of London, such person shall for every such offence forfeit the sum of 500 *l.*, to be recovered and disposed as aforesaid.

**Sect. 9.** Recites, that it is not the intent or meaning of this Act to hinder any goldsmith, silversmith, or plateworker, not inhabiting within any of the cities aforesaid, from exercising his trade; yet, for preventing of abuse or corruption therein, it enacts that every such goldsmith, &c. shall first fix his mark upon his plate, and then shall send the same to some city or place where an assayer is or shall be appointed, who shall assay and mark the same as he is by this Act required to mark the plate of his company, and he shall be paid towards his charge and trouble in making such assays a sum not exceeding 6*d.* per pound troy.

1701.

**Stat. 1 Anne, Stat. 1, c. 9, s. 3.** Recites, that by the said Act of 12 Will. 3, c. 4, it was enacted that every goldsmith, &c. inhabiting in any town or place where an assayer is not or shall not be appointed, shall bring all his wrought plate to some of the said cities or places to be assayed and marked, on forfeiture of such plate, or the value thereof, as shall be sold or exchanged before marked and assayed: and recites, that in the town of Newcastle-upon-Tyne there is, and time out of mind hath been, an ancient Company of Goldsmiths, which, with their families, by the said penalty are like to be ruined, and the said trade utterly lost in the said town: and recites, that by the Stat. of 2 Hen. 6, c. 14, the town of Newcastle-upon-Tyne is one of the places appointed to have touches for wrought-silver plate; therefore this Act appoints the town of Newcastle-upon-Tyne for the assaying and marking wrought plate, as fully as if named in the said Act of 12 Will. 3, c. 4. And **Sect. 4** incorporates the goldsmiths, silversmiths, and plateworkers, freemen of, and inhabiting in the said town, and having served an apprenticeship to the said trade, the Company of Goldsmiths of the said town of Newcastle-upon-Tyne, and enables them annually to choose two wardens, who shall continue for one year, and no longer, unless re-elected. And **Sect. 5**, enacts, that all silver plate (except by smallness not capable of the touch) shall be made of the same fineness, and assayed and marked with the arms of the said town, and other the marks mentioned in the said Act of 12 Will. 3, c. 4, and that an assay master shall be elected by the said company, who shall take such oath as is therein prescribed before the Mayor of Newcastle; and that the said assay master, and all goldsmiths, &c., there shall observe and be subject to the said Act, as if the said town had been therein mentioned.

1719.

**Stat. 6 Geo. 1, c. 11, Sect. 1.** Recites, that it is found by experience that the manufactures of silver, which were made according to the old standard, are more serviceable and durable than those which have been made according to the new standard; and therefore enacts, that the said old standard of silver plate, made after the 1st of June 1720, shall be restored, revived, and take place instead of the said new standard.

**Sect. 2.** Enacts, that no goldsmith, &c., shall be obliged to make silver plate according to the said new standard.

**Sect. 3.** Enacts, that no person shall make any silver plate less in fineness than 11 ounces,  
two



two pennyweight per pound troy, or put to sale, exchange, or selling any silver plate, (unless wire or things by smallness not capable of a mark) until touched, assayed, and marked in manner prescribed by the laws, for marking the new standard of 11 ounces 10 pennyweights fine in case the same standard had continued; and that all former laws for preserving the said new standard shall be put in execution for preserving the old standard.

Sect. 4. Granted to his Majesty a duty of 6 *d.* per ounce on all silver plate imported into and made in Great Britain, to be paid by the importer and makers respectively. And subsequent sections provide for the levying of it.

Sect. 41. Recites, that it may be requisite, for encouraging the several manufactures of wrought plate, to continue both the new and old standards, for the better accommodating all buyers of plate, and the workers and dealers therein: And therefore enacts, that all wrought plate shall not be made less in fineness than 11 ounces 10 pennyweight, or 11 ounces 2 pennyweights; which two different standards of wrought plate shall be severally marked with distinguishing marks, viz., plate of 11 ounces 10 pennyweights, with the workman's mark, the warden's mark, the lion's head erased, and the Britannia; and plate of 11 ounces 2 pennyweight, with the worker's mark, the wardens' mark, a lion passant, and a leopard's head. And that it shall not be lawful to make silver plate of a coarser alloy, under the penalties by any of the laws in being concerning wrought plate.

## PART II.

Stat. 12 Geo. 2, cap. 26, Recites the Acts of 28 Edw. 1, c. 20; 2 Hen. 6. c. 14; 18 Eliz. c. 15; 12 Will. 3 c. 4; recites also, that "the wardens and commonalty of the "mystery of goldsmiths of the City of London are, and have been a guild or corporation "time out of mind, with divers privileges confirmed and enlarged by several Charters from "his Majesty's Royal predecessors, Kings and Queens of this realm (amongst other things), "for the searching, assaying, supervising, marking, and regulating wrought plate, in order "to ascertain the standard thereof, for the good and safety of the public:" recites, also, the Charter of 18th of Charles 2; and recites, that "the standards of the plate of this "Kingdom are both for the honour and riches of the realm, and so highly concern his "Majesty's subjects that the same ought to be most carefully observed, and all deceits "therein to be prevented as much as possible; but, notwithstanding the aforesaid several "Acts of Parliament and Charters, great frauds are daily committed in the man- "facturing of gold and silver wares for want of sufficient power effectually to prevent the "same."

1739.

Sect. 1. Enacts, that in England no ware of gold shall be made, sold, or exported less in fineness than 22 carats of fine gold in every pound weight troy, and no ware of silver less in fineness than 11 ounces 2 pennyweights of fine silver in every pound weight troy, under a penalty of 10 *l.* for every offence.

Sect. 2. Provides, that the Act shall not extend to jewellers' work, except mourning rings.

Sect. 3. Provides how shopkeepers may be exempted from prosecutions.

Sect. 4. Provides, that there shall be no trial against them unless within four terms.

Sect. 5. Enacts, that no person, making, trading, or dealing in gold or silver wares, shall sell, exchange, expose to sale, or export any manufacture of gold or silver until marked as follows: viz., gold plate and old standard silver plate with the maker's mark, and these marks of the Company of Goldsmiths in London: viz., the leopard's head, the lion passant, and the yearly letter; or with the maker's mark, and with the marks appointed to be used by the assayers of York, Exeter, Bristol, Chester, Norwich, or Newcastle-upon-Tyne, and new standard silver plate with the maker's mark, and these marks of the said company, viz., the lion's head erased, the Britannia, and the yearly letter; or with the maker's mark, and the marks of one of the said cities or towns, on 10 *l.* penalty for every offence. But Sect. 6 exempts certain small wares of gold and silver, and any manufacture of gold and silver so richly engraved, carved, or chased, or set with jewels or stones, as not to admit of an assay to be taken off, or a mark to be struck thereon, without damaging or defacing the same, and such other things as by smallness or thinness are not capable of receiving a mark, and not weighing 10 pennyweights each, from being marked by the said companies, or any of them.

Sect. 7. Recites and repeals the clause in 12 Will. 3, c. 4, which provides that any person counterfeiting the stamps shall be liable to a penalty of 500 *l.*; and Sect. 8 imposes a penalty of 100 *l.* on any person who shall forge the marks, or sell wares with forged marks on them.

Sect. 9. Directs every working goldsmith, &c., to send a note or memorandum with his plate to the Assay Office, with the date, his name, residence, and weight, and description of plate.

Sect. 10. Provides, that there shall be no drawback of duty on the exportation of silver plate above seven years old.

Sect. 11. Recites, that it may be necessary to use more solder in one piece of wrought plate than another, so that the same cannot be ascertained by any general rule; and there being great frauds daily committed by using too much solder in wrought plate, and there cannot be any certain rule prescribed for the forwardness in the workmanship that every

**Appendix, No. 3.** particular piece of plate ought to be of before it shall be marked; therefore it empowers any warden or deputy warden of the said Company of Goldsmiths in London, or any warden or assayer of York, &c. (being or having been a working goldsmith or silversmith), to determine what solder is necessary about every piece of plate sent to be assayed or marked, and how forward in workmanship the same ought to be, and whether all the pieces are affixed together or not, on his seeing the same: and if he shall adjudge any piece of plate to be too much charged with solder, or not forward enough in workmanship, or the pieces not affixed together, or incapable of being marked, he may refuse to permit the same to be assayed or marked. And Sect. 12 empowers any person to appeal from such warden or deputy warden of the said Company of Goldsmiths in London to the other wardens, or any two of them, or to the meeting of the standing committee; and if not satisfied with the determination of the said wardens or committee, to appeal to the court of assistants, or to appeal in the first instance to the said court of assistants by writing under his hand; but that the determination of the court of assistants shall be final.

Sects. 13 to 19. Relate to the prices to be charged for assaying and marking, and the levying thereof.

Sect. 20. Empowers the wardens, after three assays, to break any parcel of plate reported to be of a coarser alloy than the said respective standards.

Sec. 21. Enacts, that every person who shall make, or cause to be made, any manufacture of gold or silver, shall first enter his name, mark, and place of abode, in the Assay Office of the said Company of Goldsmiths in London, or in the Assay Office at York, &c., on pain to forfeit 10*l.*, and 10*l.* more for using any other mark.

Sects. 22 to 23. Provide how forfeitures shall be recovered.

1784. Statute 24 Geo. 3, c. 53, is a Duty Act. It enacts that all plate sent to be assayed and marked, shall be marked with the King's head in addition to the other marks, and that the counterfeiting this mark, or any other mark used by the Company of Goldsmiths in London or Edinburgh, or the Birmingham or Sheffield Companies, or by the wardens or assayers at York, Exeter, Bristol, Chester, Norwich, or Newcastle-upon-Tyne, and the selling of wares with counterfeit marks, knowing them to be counterfeited, and the transposing of marks, shall be a felony punishable by death.

1785. Stat. 25 Geo. 3, c. 64, is a Duty Act. It enacts that the exporters of gold and silver watches shall engrave in the inside of every case of each watch, inclosing the works thereof, the same numbers and figures which shall be engraved on the works.

1790. Stat. 30 Geo. 3, c. 31. Repeals the clause in 12 Geo. 2, c. 26, and also a clause in the 24 Geo. 3, c. 53, which exempt certain small articles from the obligation of being marked, so far as regards wares of silver.

Sect. 3. Enacts, that it shall not be necessary to mark the following articles of silver, viz., chain, necklace beads, lockets, any filigree work, shirt buckles, or brooches, stamped medals, spouts to china, stone, or earthenware teapots, of any weight whatsoever.

Sect. 4. Enacts that it shall not be necessary to mark tippings, swages, or mounts not weighing 10 pennyweights of silver each, except necks and collars for castors, cruets, or glasses.

And Sect. 5. Enacts that it shall not be necessary to mark any wares of silver whatsoever not weighing 5 pennyweights, except necks, collars, and tops for castors, cruets, or glasses appertaining to any sort of stands or frames, buttons to be affixed to or set on any wearing apparel, solid sleeve buttons, and solid studs, not having a bisulled edge soldered on, wrought seals, blank seals, bottle tickets, shoe clasps, patch boxes, salt spoons, salt shovels, salt ladles, tea spoons, tea strainers, caddy ladles, buckles (shirt buckles or brooches before-mentioned excepted), and pieces to garnish cabinets, or knife cases, or tea chests, or bridles, or stands, or frames.

1798. Stat. 38 Geo. 3, c. 24. Repealed the duties on watch cases.

1798. Stat. 38 Geo. 3, c. 69, is an Act for allowing gold wares to be manufactured at a standard lower than was then allowed by law. This Act permits wares of 18 carat standard to be made, and directs such wares to be marked with a Crown and the figures 18, instead of the mark of the lion passant; and by Sect. 7, the counterfeiting marks, &c. is made a felony, punishable by transportation for seven years.

1816. Stat. 55 Geo. 3, c. 185, is a Duty Act. But Sect. 7 makes the counterfeiting, &c., the duty mark (the King's head) a felony punishable by death.

1842. Stat. 5 & 6 Vict. c. 47, is a Customs Act.

Sect. 59. Enacts that foreign plate imported, not being battered, shall not be sold unless of the proper standard, and duly assayed and marked; and Sect. 60 empowers any person to send the same to any assay office in the United Kingdom to be assayed. And when so sent it provides that it shall be tested, stamped, and marked in the same manner as British plate.

*Note.*—It is to be observed that these enactments do not oblige the importer to send foreign plate to be assayed and marked at the time of its importation, nor indeed at any time. See 5 & 6 Vict. c. 56, s. 6; and 30 & 31 Vict. c. 82, s. 24.

1842. 5 & 6 Vict. c. 56 is a Customs Act; Sect. 6 provides that ornamental plate made prior to the year 1800, may be sold without being assayed and marked.

Stat.

Stat. 7 & 8 Vict. c. 22, intituled, "An Act to amend the Laws now in force, for preventing Frauds and Abuses in the marking of Gold and Silver Wares in England."

Sect. 1 repeals so much of the Acts of the 13 Geo. 3, c. 59, and of the 38 Geo. 3, c. 69, as relates to the punishment of offenders.

By Sect. 2, the forging or counterfeiting any die used for marking gold or silver wares, or *knowingly* uttering the same; the marking wares with forged dies, or *knowingly* uttering any such ware; the forging any mark of any such die used as aforesaid, or *knowingly* uttering the same; the transposing or removing any mark of any die used as aforesaid, or *knowingly* uttering any such transposed mark; the having in possession any such forged or counterfeit die as aforesaid, or any ware of gold or silver, or any ware of base metal, having thereupon the mark of any such forged or counterfeit die as aforesaid, or any such forged or counterfeit mark, or imitation of a mark as aforesaid, or any mark transposed or removed as aforesaid, *knowing* the same respectively to have been forged, counterfeited, imitated, marked, transposed, or removed; the cutting or severing any mark, with intent to join or affix the same to any other ware; the joining or affixing to any ware, any cut or severed mark; and the fraudulently using any genuine die, are respectively made *felony*, punishable by *transportation* for any term not exceeding 14 nor less than seven years, or by *imprisonment with or without hard labour* for any term not exceeding three years.

By Sect. 3, every dealer who shall sell, exchange, expose for sale, export, import, or attempt to export or import, or who shall have in his possession without lawful excuse (the proof whereof shall lie upon him) any ware of gold or silver, or base metal, having thereupon any forged or counterfeit mark, or any mark which shall have been transposed or removed, *is made liable for every such ware to a penalty of 10l.*

*Note.*—In the cases provided for by this section, it will be seen that it is not necessary for the Company of Goldsmiths, suing for the penalty, to prove a guilty knowledge.

By Sect. 4, dealers are exempted from the penalty on discovering and making known the actual manufacturer of any such ware, or the person from whom the same was bought, had, or received.

By Sect 5, it is enacted, that if any ware which shall have been duly assayed and marked, shall be altered, by any addition being made thereto, or otherwise, *so that its character or use shall be changed*, or if any addition shall be made thereto (although its character or use shall not be changed), the weight of which addition *shall bear a greater proportion to the original weight than four ounces to every pound troy weight*; every such ware shall be assayed and marked again as a new ware, and the duty shall be paid upon the whole weight.

But if the weight of such addition shall *not* bear a greater proportion to the original weight than four ounces to every pound troy, and the character or use of such ware shall *not* be changed, the addition only may be assayed and marked, and the duty paid on the weight of such addition only; but, before any such addition shall be made, the ware shall be brought to the Assay Office for inspection, and the nature and extent of the addition explained, and the assent of the company to the making of such addition signified:

And every dealer who shall alter, or add to, any ware which shall have been before assayed and marked, so that its character or use shall be changed, or so that the addition shall bear a greater proportion to the original weight than four ounces to every pound troy, without bringing the same to be assayed and marked as a new ware; or if its character or use shall not be changed, or the addition shall *not* bear a greater proportion to the original weight than aforesaid, without first bringing such ware to the Assay Office, and explaining the nature and extent of the intended addition to the company, and obtaining their consent thereto; and every dealer, who shall sell, exchange, expose for sale, export, import, or attempt to export or import, or who shall have in his possession any such ware, so altered, changed, or added to as aforesaid, *is made liable for every such ware to a penalty of ten pounds*; and every such ware may be *seized*.

By Sect. 6. Dealers are exempted from the penalty on discovering and making known the actual manufacturer of any such ware, or the person from whom the same was bought, had, or received.

By Sect. 7. Every officer of the several halls, who shall mark as standard any ware worse than standard, *is made liable to a penalty of twenty pounds*; every such officer shall be *dismissed*; and every such ware may be *seized*.

By Sect. 8, it is enacted, that every dealer who shall enter, or has already entered, his private mark, under the existing laws, with any of the companies, shall give them the particulars of *every place where he carries on his business, or keeps wares, and his place of abode*, and so from time to time, *under a penalty, for every offence, of five pounds*.

By Sect. 9. *A penalty of five pounds for every offence* is imposed on every dealer who shall fraudulently *erase, obliterate, or deface any mark* of the several companies of goldsmiths, from any ware.

By Sect 10. The recovery and application of penalties is provided for.

By Sect 11. Justices of the peace are required, upon information by any of the several companies of goldsmiths, to grant search warrants *to search for forged or counterfeit dies, and false or illegal wares*; and every such die and ware may be *seized*. But not any wares which by existing laws are not required to be marked, nor any of the wares following, *viz.: watch rings, watch keys, watch hooks, ear-rings, necklaces, eye-glasses, spectacles of gold, shirt pins, or studs, bracelets, head ornaments, waist buckles.*

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By Sect 12. The disposal of false dies and wares seized is provided for.

Sect. 13 regulates the proceedings in actions and prosecutions against any person acting in pursuance or under the authority of this Act.

Sect. 14 defines the meaning and interpretation of words and terms used in the Act.

Sect. 15 provides that after the 1st October 1844, *gold wares* of the standard of 22 *carats of fine gold in every pound Troy* shall be marked with a *Crown and the figure 22*, instead of the lion passant.

Sect 16 extends the powers, penalties, and provisions concerning the lion passant, to the mark directed to be used instead thereof, by this Act.

Sect 17 declares that this Act shall not extend to Scotland or Ireland.

Sect 18 declares that it shall come into operation on the 1st October 1844.

1854.

Stat. 17 & 18 Vict. c. 96, provides that Her Majesty may, by Order in Council, allow any standard for gold wares not less than one-third part in the whole of fine gold, and by such order approve of the manner in which the same shall be marked, setting forth in figures the actual fineness thereof.

By Sect. 2 it is provided that workers and dealers may have their wares assayed and marked at any established assay office which they may select.

Sect. 3 provides, that if any of the *gold wares* which are not liable to be assayed and marked, shall nevertheless be assayed and marked, such wares shall not be chargeable with the duty.

Sect. 4 extends the provisions of existing Acts to the new standards.

And Sect. 5 imposes a penalty on any assayer or other officer who shall mark a gold ware of a lower standard with the mark appropriated to a higher standard.

1854.

Order of Council of 11th of December 1854, fixes the new standards of 15, 12, and 9 carats, and provides that they shall be marked as follows, viz.:—The first with the figures 15, and the decimal mark  $\cdot 625$ ; the second with the figures 12, and the decimal mark  $\cdot 5$ ; and the third with the figure 9, and the decimal mark  $\cdot 375$ .

*Note.*—The Goldsmiths' Company of London advised against the introduction of these lower standards. The plain and intelligible manner in which it was ordered that wares of 15, 12, and 9 carats should be marked, has been, it is believed, the chief cause of the comparatively small quantity of gold of these standards which is manufactured. In the last year, ending 27th of May, at Goldsmiths' Hall, London, gold wares weighing 7,083 lbs. 0 ozs. 19 dwts. 3 grs. were marked, and of these the articles made of the higher standards (viz. 22 and 18 carats) weighed 6,607 lbs. 7 ozs. 14 dwts. 14 grs.

1855.

Stat. 18 & 19 Vict. c. 60, recites, the 3rd section of the last mentioned Act, and recites that by certain Statutes in force, no gold rings, except mourning rings, are liable to be assayed and marked, but that gold wedding rings have nevertheless been assayed and marked. It further recites that it is expedient that gold wedding rings should be made liable to the provisions of the Statutes in force relating to the assaying and marking of gold plate.

Sect. 1 enacts that: 1. From and after the passing of this Act, gold wedding rings shall be assayed and marked in like manner as gold plate not exempted is required by the Statutes in force to be assayed and marked, and all the provisions of the Statutes relating to the manufacture or sale of gold plate shall apply to gold wedding rings.

Sect. 2 enacts that the 3rd section of the Act passed in the 18th year of the reign of Her present Majesty, therein recited, shall be repealed, so far as the same might affect gold wedding rings.

1867.

Stat. 30 & 31 Vict. c. 80, is a Customs Act. Section 24 provides that: All gold and silver plate which shall be imported from foreign parts, and which shall be sent to any assay office in the United Kingdom at which gold and silver plate is now or shall at any time hereafter be by law required to be assayed, and which when so sent shall be there assayed, tested, stamped, and marked, shall, in addition to the marks for the time being used at such assay office for the purpose of marking British plate, be marked with the further mark of the letter F on an oval escutcheon, in order to denote that such gold or silver plate was imported from foreign parts, and was not wrought or made in England, Scotland, or Ireland.

1876.

*Note.*—This enactment was repealed by the Customs Consolidation Act, 1876 (39 & 40 Vict. c. 36),; but it was re-enacted in the same words by the Customs Tariff Act, 1876 (39 & 40 Vict. c. 35, s. 2).

## PART III.

## SCOTLAND.

The goldsmiths of Edinburgh are a very ancient body. They were incorporated by Charter of James VII., in 1687, but James VI. had previously (in 1586) granted certain powers to the deacon and masters of the craft. The celebrated goldsmith, George Heriot, was deacon of the craft in 1591.

1687.

Stat 59 Geo. 3, c. 28, established the Glasgow Assay Office. This is a local Act.

1819.

The corporations of goldsmiths at Edinburgh and Glasgow are now chiefly regulated by the provisions of the Statute 6 & 7 Will. 4, c. 69, intituled "An Act to fix the Standard Qualities of Gold and Silver Plate in Scotland, and to provide for the assaying and marking thereof."

1836.

The standards are the same as in England.

## IRELAND.

Charles, II., by Charter of the 13th year of his reign, incorporated the Goldsmiths' Company of Dublin. And at the present time there is no other assay office in Ireland. I say the present time, for in the year 1784, a company of French Protestants established themselves near Waterford, at a place which they called New Geneva, and obtained powers to establish an assay office there, but they only continued for about six years.

1638.

Additional powers were given to the Dublin Corporation by several Statutes, the last being an Act of the Irish Parliament, 23 & 24 Geo. 3, c. 23.

1783.

The standards in Ireland are for silver 11 ounces 2 pennyweights, and for gold 22, 20, 18, 15, 12, and 9 carats.

## BIRMINGHAM AND SHEFFIELD.

Stat. 13 Geo. 3, c. 52, established the assay offices at Birmingham and Sheffield. It was repealed so far as it related to Birmingham, in 1824, by 5 Geo. 4, c. 52, by which Statute the Birmingham Office is now regulated; but the office at Sheffield is regulated by this Statute at the present time; except that by Statute, 24 Geo. 3, c. 20, some increase in the charges for assaying were authorised.

1773.

Both the above-mentioned Statutes, viz., 13 Geo. 3, c. 52, and 5 Geo. 4, c. 52, are local Acts, and therefore will not be found in the "Statutes at Large."

## GOLD AND SILVER HALL MARKING.

## OBSERVATIONS.

## SUGGESTIONS for some ALTERATIONS in the LAW.

If it should be the opinion of the Committee that the assaying and hall marking of gold and silver plate should be continued, it is, I think, expedient that some alterations and amendments of the law be made.

## FOREIGN PLATE.

As regards foreign plate imported, I think that Sects. 59 and 60 of 5 & 6 Vict. c. 47; Sect. 6 of 5 & 6 Vict. c. 56; and Sect. 2 of 39 & 40 Vict. c. 35, should be repealed and re-enacted altered as follows:—The chief alterations which I propose are printed in italics.

And be it enacted, that all gold and silver plate, not being battered, which shall be imported from foreign parts after the commencement of this Act, and sold, exchanged, or exposed to sale within the United Kingdom of Great Britain and Ireland, shall be of the respective standards now required for any ware, vessel, plate or manufacture of gold or silver wrought or made in England; and that no gold or silver plate so to be imported as aforesaid, not being battered shall be sold, exchanged, or exposed to sale within the said United Kingdom until the same shall have been assayed, stamped, and marked *in manner in the Schedule to this Act mentioned*; and that every goldsmith, silversmith, or other person whatsoever who shall sell or expose to sale in England, Scotland, or Ireland any gold or silver plate so to be imported as aforesaid, and not being battered, before the same shall

## Appendix, No. 3.

shall have been so assayed, stamped, and marked as aforesaid, shall be subject and liable to the like penalties and forfeitures in all respects, and to be recoverable in the same manner, as the penalties and forfeitures now by law imposed upon goldsmiths and silversmiths selling, exchanging or exposing to sale in England, Scotland, or Ireland respectively any ware or manufacture of gold or silver plate made or wrought in England, Scotland, or Ireland respectively, and not assayed, stamped, and marked as required by law: Provided always, that no article or ware of gold or silver so to be imported as aforesaid, shall be liable to be assayed, stamped, or marked as aforesaid, which would not be liable to be assayed, stamped, or marked if it had been wrought or made in England. *Provided also, and it is hereby declared that nothing in this Act shall extend to oblige to be assayed, stamped, or marked, any manufacture of gold or silver so richly engraved, carved, or chased, or set with jewels or other stones, as not to admit of an assay to be taken of, or a mark to be struck thereon without damaging or defacing the same.* Provided also, that it shall be lawful to sell, exchange, or expose to sale any gold or silver plate which shall have been or henceforth shall be imported from foreign parts, such gold or silver plate being of foreign manufacture, and of an ornamental kind, and having been made or wrought previous to the year 1800, notwithstanding such gold or silver plate shall not be of such standard as aforesaid, and shall not be assayed, stamped, or marked as is by this Act required: Provided always that in any action, suit, or other proceeding against any person for any forfeiture or penalty for selling, exchanging, or exposing to sale any gold or silver plate imported from foreign parts, before the same shall have been assayed, stamped, or marked as in this Act is mentioned, the proof that the same was manufactured previous to the year 1800 shall lie on such person.

And be it enacted, that in order that gold and silver plate so imported as aforesaid may be assayed, stamped, and marked, *the Commissioners of Customs may permit the same to be delivered to the importer thereof without payment of duty for such period as to them may appear expedient, and under such regulations and restrictions and with such security by bond for the return of the same duly stamped or marked in such manner as is hereby required and for the payment of the duties thereon as they may direct or require, and the importers shall send the same to an assay office in the United Kingdom at which gold and silver plate is now by law required to be assayed, and when so sent it shall be assayed and tested in such and the same manner, and be subject to such and the same charges, as if the same were British plate by law assayable in such office; and the wardens and officers in any such assay office, and the persons employed by them, shall have such and the same powers of assaying, touching, testing, marking, cutting, breaking, or defacing such gold and silver plate so sent to be assayed as are now by law exercisable by such wardens, officers, and other persons in respect of gold and silver plate now by law required to be assayed.*

And be it enacted that all gold and silver plate which shall be imported from foreign parts, and which shall be sent to any assay office in the United Kingdom at which gold and silver plate is now or shall at any time hereafter be by law required to be assayed, and which when so sent shall be then assayed and tested, *shall be stamped and marked with the marks mentioned in the Schedule hereto*, in order to denote that such gold or silver plate was imported from foreign parts, and was not wrought or made in England, Scotland, or Ireland; and the wardens and officers in such and every such assay office, and the persons employed by them, shall have power to impress and mark, and shall impress and mark such marks before such plate shall be delivered out from such assay office.

## SCHEDULE.

*To contain a description of the marks, such marks to be totally different from those used in marking English made plate.*

The object of the alterations which I have proposed in the foregoing clauses will be obvious. At the present time there is no law which compels the importer to send foreign made plate imported to be assayed and marked. He pays the duty at the Custom House, and is allowed to take his plate away. He thinks, or says he thinks, that having paid the duty, he has done all that is requisite. He sells it, and generally it gets into the hands of collectors, who probably would not care to give information of the offence, even if they knew that an offence had been committed.

The offender himself pretends ignorance of the law, and I have reason to believe that in many instances he has been ignorant of it.

At the end of last year the Goldsmiths' Company sent a notice to the trade with extracts from the Acts of Parliament relating to foreign plate, which notice brought several persons to Goldsmiths' Hall, who declared that they believed that having paid the duty at the Custom House, no other obligation was imposed upon them to enable them to sell foreign plate imported.

















































































## WATCH CASES.

I am inclined to think that the marking of watch cases should not be compulsory. Foreign watches in unmarked cases have been always, I am informed, sold in England without challenge, and yet I am of opinion that such cases are strictly within the view of the 12 Geo. 2, c. 26, sect. 5, and that the selling of them renders the seller liable to a penalty.

























IMPRESSIONS OF THE MARKS IN USE AT THE ASSAY OFFICE GOLDSMITHS' HALL LONDON.  
FOR MARKING SILVER PLATE, OF THE OLD STANDARD FROM 29<sup>TH</sup> MAY 1878 TO 29<sup>TH</sup> MAY 1879.

<i>Duty</i> .....				
<i>Lion</i> .....				
<i>Leopard</i> .....				
<i>Letter</i> .....				
<i>Duty and Lion</i> .....				
<i>Lion and Leopard</i> .....				
<i>Lion and Letter</i> .....				
<i>Letter and Duty</i> .....				
<i>Duty, Lion and Letter</i> .....				
<i>Lion, Leopard, Letter</i> .....				
<i>Duty, Lion, Letter, Leopard</i> .....				
<i>Duty, Letter, Lion, Leopard</i> .....				
<i>Lion, Leopard, Letter, Duty</i> .....				
.....				
<i>Lion</i> .....				
<i>Lion and Letter</i> .....				
<i>Lion, Leopard, Letter</i> .....				
<i>Duty, Letter, Lion, Leopard</i> .....				
<i>Duty, Letter, Leopard, Lion</i> .....				
<i>Lion, Leopard, Letter, Duty</i> .....				

Watch case, cover, and Pendant.

Outer bottom of Watch Cases.

## MARKS FOR THE OLD STANDARD GOLD.


<i>Twenty-two</i> .....				
<i>Twenty-two and Letter</i> .....				
<i>Crown and Twenty-two</i> .....				
<i>Letter, Crown, 22 and Leopard</i> .....				
<i>Duty, Letter, Crown, 22, and Leopard</i> .....				

## MARKS FOR NEW STERLING SILVER PLATE.







IMPRESSIONS OF THE MARKS IN USE AT THE ASSAY OFFICE GOLDSMITHS' HALL LONDON.  
FOR MARKING GOLD OF THE 15, 12, 9 CARAT STANDARDS FROM 29<sup>TH</sup> MAY 1878 TO 29<sup>TH</sup> MAY 1879.


15-625 ..... 


15-625 Leopard. ....  ..... Inner bottoms of Watch Cases.


15-625 Leopard Letter. ....  ..... Outer bottom of Watch Cases.

15-625 Letter Leopard. ....  ..... for Rings.

12-5 ..... 


12-5 Leopard. .... 


12-5 Leopard Letter. .... 


12-5 Letter Leopard. .... 


9-375 ..... 


9-375 Leopard. .... 

9-375 Leopard Letter. .... 

9-375 Letter Leopard. .... 










































Leopard ..... 

Letter ..... 

Letter and Leopard. .... 



IMPRESSIONS OF THE MARKS IN USE AT THE ASSAY OFFICE GOLDSMITHS' HALL LONDON.  
FOR MARKING GOLD OF THE 18 CARAT STANDARD FROM 29<sup>TH</sup> MAY 1878 TO 29<sup>TH</sup> MAY 1879.

<i>Duty.</i> .....			
<i>Leopard.</i> .....			
<i>Letter.</i> .....			
<i>Crown.</i> .....			
<i>Eighteen.</i> .....			
<i>Leopard, Letter.</i> .....			
<i>Letter and 18.</i> .....			
<i>Crown and 18.</i> .....			
<i>Duty, Leopard, Letter.</i> .....			
<i>Leopard, Letter, Crown, 18.</i> .....			
<i>Crown, 18, Leopard, Letter.</i> .....			
<i>Duty, Crown, 18, Leopard, Letter.</i> .....			
<i>Eighteen.</i> .....			
<i>Crown and 18.</i> .....			
<i>Crown, 18, Letter.</i> .....			<i>Inner bottom of Watch Case.</i>
<i>Letter, Crown, 18, Leopard.</i> .....			<i>Outer bottom of Watch Case.</i>
<i>Crown, 18, Leopard, Letter.</i> .....			
<i>Duty, Crown, 18, Leopard, Letter.</i> .....			

penalty. We have never been asked to sue for a penalty so incurred, but if required to do so, I should feel it difficult to give a reason for objecting, except that the practice has not hitherto been questioned.

Appendix, No. 3.

A watch case is of no use by itself. It is not a complete article. It is an adjunct to a thing generally of much greater value. Moreover it is not liable to the duty. I would leave it to be sold marked or unmarked, according to the will of the seller, and it is my opinion that the hall mark is so much valued that the number of watches sent to be marked would not be materially lessened.

The grievance for the remedy of which the hon Member for Coventry has introduced a Bill into Parliament, is more a watchmaker's than a casemaker's grievance. The object which the foreign makers of cases have in sending them to England to be assayed and marked, is, it is stated, that they may put foreign movements in them of a cheap and inferior character, and sell them in foreign markets as English made watches, the buyer being deceived by finding on the cases the English hall marks, a practice by which the English watchmaker is undoubtedly injured.

#### EXEMPTIONS.

I think it would be well to simplify the laws with respect to the articles exempted from the necessity of being marked, which laws are now contained in several Acts of Parliament. It might be done by laying down some general rule as to the weight of articles to be exempted, and also specifying, if necessary, some particular articles by name which would not come within the general rule; excepting also all jewellers' work, and such articles as by reason of delicacy of workmanship would not permit an assay to be made, or a mark struck thereon without injury.

There is also this anomaly in the law, that gold wares assayed and marked, which are not required to be marked, are exempted from the duty by the 17 & 18 Vict. c. 96, s. 3, but there is no similar provision with respect to silver wares of the like description.

If it should be considered advisable to consolidate in one Act the laws relating to the assaying and marking of plate in the United Kingdom, it would be expedient to make some other alterations; but the framing of such a Statute would not be so simple and easy a business as it seems to have been thought by the Committee which reported on the subject in 1856, and as it might appear to anyone who has not maturely considered the subject in all its bearings, especially with reference to the corporations in Scotland and Ireland and the smaller assay offices in England.

The *general* law for England is for the most part contained in two Acts of Parliament, viz., the 12 Geo. 2, c. 26, and the 7 & 8 Vict. c. 22.

#### Appendix, No. 4.

PAPER handed in by Mr. *Prideaux*.

#### IMPRESSIONS OF HALL MARKS.

Appendix, No. 4.

*See* Lithographs opposite.

## Appendix, No. 5.

PAPER handed in by Mr. *Garnett*.

Appendix, No. 5.

EXCHEQUER.—DIVISIONAL COURT OF APPEAL, from Inferior Courts.—  
23 November 1877.

YOUNG, Appellant, v. COOK, Respondent.

CASE stated under the Act 20 &amp; 21 Vict. c. 43, by one of the metropolitan police magistrates.

The respondent was a jeweller, carrying on business at Stepney, and held a license to deal in gold plate under two ounces in weight. The license duty is imposed by 30 & 31 Vict. c. 90, s. 1. The charging part of the section is as follows:—

“There shall be paid \* \* \* \* \* by every person who shall trade in  
“or sell any article composed wholly or in part of gold or silver, in respect of every  
“house, shop, or other place in which his trade or business shall be carried on:

“Where the gold shall be above two pennyweights and under two ounces in  
“weight, or the silver above five pennyweights and under 30 ounces in weight, the  
“sum of 2 *l.* 6 *s.*

“Where the gold shall be of the weight of two ounces or upwards, or the silver  
of the weight of 30 ounces or upwards, the sum of 5 *l.* 15 *s.*”

An officer of excise, in the course of his duty, bought at the respondent's shop a gold chain weighing 2 ounces 11 pennyweights 10 grains, for which he paid 14 *l.*

An information was exhibited by order of the Commissioners of Inland Revenue against the respondent for recovery of the penalty of 50 *l.* imposed by the third section of the last-mentioned Act, upon a person dealing in plate without a proper license.

At the hearing of the information it was contended on behalf of the defendant (the respondent), that as a matter of fact the weight of the pure gold in the chain was less than two ounces, and that consequently the lower rate of duty was sufficient; but the Crown contended that there was nothing as to pure gold in the statute, and that the weight of an article sold as gold must be taken as the weight which regulates the rate of duty.

The magistrate upheld the contention of the defendant, and dismissed the information.

Held that the weight of the article sold as gold is the weight which regulates the rate of duty.

## JUDGMENT.

Lord Chief Baron *Kelly*.—In this case I think that the respondent is subject to the higher duty on the license under which he has carried on his business. The facts of the case appear to be simply these: that the respondent is a goldsmith and jeweller, and he dealt, amongst other articles, in gold chains, which may be called possibly watch chains; and on the day in question, the one, who appears to have been an informer, but I must call him a customer, went into his shop and asked for a gold chain, and a gold chain was produced by the respondent, and described as a gold chain in what passed between the parties, and the price of the chain being mentioned, and the price of the chain being paid; the chain was accordingly delivered over to the purchaser, the informer, or the witness, as a gold chain; and it appears that the weight of that gold chain, or, in other words, the quantity of gold, according to the construction which I am disposed to put on the fifth section of the Act of Parliament, was upwards of two ounces. If, therefore, he dealt with an article of gold, a gold chain for example, *exceeding in weight, or containing more than, two ounces of gold*, he is liable to the higher duty, and the question is, whether under the circumstances, it appearing beyond all doubt that the chain, if analysed, would be found to contain much less of pure gold than two ounces; that entitles the respondent to carry on his business as a goldsmith and jeweller on the lower license, which applies only to the dealing in gold articles where the gold is less in quantity than two ounces.



ounces. The question arises entirely on the fifth section of the Act of Parliament, taken, indeed, together with the two provisions, for there are two provisions in the fifth section of the Act of Parliament, but taken together with, no doubt, what appears in the first section. First then, what is the meaning of the earlier provision in the fifth section? It is, "That all articles sold or offered for sale, or taken in pawn, or delivered out of pawn, and alleged to be composed wholly or in part of gold or silver, shall, for the purposes of this Act, be deemed to be made and taken to be composed of gold or silver respectively as alleged." The question is, what is the meaning of that word "alleged," and whether upon the evidence to which I have referred, this gold chain must be taken to have been a chain of gold, that is, altogether of gold, to be composed of gold, so as to exceed the weight of two ounces in weight, and so render the respondent liable to the higher duty of his license? Undoubtedly, it appears to me, the word alleged is an unfortunate word, and tends, upon the first view of the language of this clause, to mislead, and to turn aside the attention from what is the real construction when it comes to be considered, because there is no allegation. It is not that when the purchase and sale took place that the respondent said, on handing a claim to him, "I allege this to be gold," but it must be taken to mean (if it has any meaning at all in this provision, and a very important provision it is in the Act of Parliament), what would have been more properly expressed by the word "described." That is, where, upon the purchase or sale of an article by a goldsmith or jeweller, that is between himself and his customer, he represents the article which he sells to be called or described as gold, referring to the article here, a gold chain; if he calls it a gold chain, or describes it as a gold chain, or represents it to be a gold chain, it must be taken to be gold. That is, it must be taken to be composed of gold. It applies equally to silver, but silver is here out of the question. It was alleged, or I would rather say "described," by the seller, the respondent, to be a gold chain, and it must be taken to have been composed of gold and if composed of gold, as there was more than two ounces of gold in it, he is liable for the higher license. That would be undoubtedly the effect of the Act of Parliament if we go no further than that particular provision. But then it is said there is another provision, which the learned counsel for the respondent has described as a proviso, but which is really not a proviso, it is a separate and independent provision of the Act of Parliament, although it must be read together in order to arrive at the true construction of it, with the earlier provision to which I have already referred.

Now, what is that, "If on the hearing of any information for any offence against this Act, any question shall arise touching the quantity of gold or silver contained in any article, the proof of such quantity shall lie upon the defendant," and with reference to what is contained in the first Section of the Act of Parliament, that is said to mean the quantity of pure gold, and the case is a case which would come within the latter part of that section, within that latter provision, and that the question did arise in this case whether the quantity of pure gold contained in that chain, which has been described as a gold chain, was not less than the weight of two ounces, and reference is made to the first section to support it. "In lieu of the duties now payable in Great Britain on licenses to persons trading in, vending, or selling gold or silver, or silver plate, and in Ireland on licenses to persons to sell or make gold or silver plate, there shall, from and after the 5th day of July 1867, be charged and paid the following excise duties on licenses to deal in plate, to be taken out yearly in the United Kingdom by the persons hereinafter mentioned (that is to say), by every person who shall trade in or sell any article, composed wholly or in part of gold or silver, in respect of every house, shop," and so forth; and then where the gold shall be above two pennyweights, and so forth, or under the two ounces, one amount of duty, and where it shall exceed that amount, another and a higher rate of duty. Then, it is said, that the meaning of that really is that every person who shall trade in or sell any article composed wholly or in part of gold (leaving out altogether anything about silver), that means something wholly of pure gold, or in part pure gold only, and that the other part shall be of alloy; but that is not so. The meaning is quite obvious. Every article which is ever sold or ever manufactured, I would exclude coins and possibly some medals, although it might almost apply to them, but every article of commerce which is bought or sold in a goldsmith's or jeweller's shop, whether it is represented as gold or represented as silver, or sold as gold or sold as silver, is known to be composed partly only of pure gold and partly of alloy. But this really means that the kind or class of articles (confining oneself to the word gold only which is referred to), is part gold and part alloy. I take silver as being a description of article more frequently bought and sold in a goldsmith's or jeweller's shop. I will take the article of silver, which clearly means an article, one part of which may be silver and another part of which may be plated. I will just take the article which is very frequently of that description, a pair of candlesticks. Nothing is more common in a goldsmith's or jeweller's than that a pair of silver candlesticks should be put in the window, or should be bought and sold in the shop; but it very often happens that besides the silver candlesticks, and forming part of them, there are a pair of branches so as to give two or three lights each, and they are supposed to be plated and not silver. Therefore, there is an article not wholly, but in part silver, because only the candlestick is silver and the branches are plate, and if, upon such an article as a pair of candlesticks, anyone went into the shop and chose to say, "I wish to buy a pair of silver candlesticks with the branches," and they were represented to be all of silver, I think then they would be alleged to be all of silver within the meaning of the fifth section; and although it might turn out that in fact the branches were plated only, still the seller, the goldsmith or jeweller, would be bound by what he would have alleged or what he would have described the article to be, and he would

## Appendix, No. 5.

be liable to the higher duty if the whole amounted to more in weight than two ounces. But if he had told what the truth was, the candlesticks are of silver, but the branches are plated only, and if, without saying anything about it, it had been known by the parties, and had never been alleged or pretended that the branches were of silver; and on the sale of the article the question arose, what amount of duty on the license the jeweller would be liable for, then would have arisen the question on the latter part of the section: "On the hearing of any information for any offence against this Act, any question shall arise touching the quantity of gold or silver contained in any article, the proof of such quantity shall lie upon the defendant." Well, the defendant would then have only to show that, though it was true the candlesticks were of silver, yet they did not exceed the two ounces in weight, and the quantity of silver contained in them was less than two ounces, and so he would be liable to the minor amount of duty only. But if it should appear that the quantity of silver exceeded two ounces, then he would come within the other provision, within the general meaning of the Act, that where the quantity or weight of gold or silver exceeds whatever may be the amount specified in the Act of Parliament, then he shall be liable to the higher duty. Where it is under that weight or quantity, he shall be liable to the lower duty only. And wherever it has been proved by the seller that upon a pair of silver candlesticks the quantity of silver in the candlesticks was less than the amount, whatever it may be, which would have subjected him to the higher duty, he would be liable to the lower duty only. If it appeared that the part that was alleged to be silver, or was proved to be silver, did exceed the amount in question, then he would be liable to the higher duty. Thus, the meaning is not that pure gold forms any part of the construction, not that the use of the word gold in any part of the Act, or the use of the word silver in any part of the Act, means pure gold or pure silver, but merely what is ordinarily called gold or silver, or what is alleged to be gold or silver by the seller of the article in question, and what is the evidence in the case; whenever a question shall arise it is not as to what is pure gold or pure silver, but what, in common parlance, is called gold or silver.

Therefore, under these circumstances in the case before us, no question arises, and no question, as far as I know, ever has arisen, or ever can arise, under this Act of Parliament. There is no case, for aught I know, in which a question could arise, how much of pure gold was in the article in question, or how much pure silver was in the article in question. It is merely what is the weight of gold in an article which is bought or sold, or what is the weight of silver in an article which is bought or sold, and according to the weight of it, either on the allegation or the description given to it by the dealer, and upon the proof on the trial of the case on the information, or any other case in which the question arises, whatever appears to have been in common parlance gold, is subject to the lower duty or the higher; and whatever in common parlance is called silver, in like manner the higher or lower duty is payable according to its weight. But no question arises in the present case, or, as far as I can see at present, can arise, as to what portion of any given article which is bought or sold in a jeweller's shop consists of pure gold or pure silver.

Under these circumstances I think we must determine that the defendant, or the respondent in this case, was liable to the higher amount of duty, and the information must be corrected for that purpose.

Mr. Baron *Cleasby*.] I am myself clearly of the same opinion. This Act, or rather the part of it referred to, relates to persons carrying on trade in gold and silver plate which is liable to duties now payable, and has to do with the matter of granting licenses to persons trading in, vending, or selling gold or silver plate; therefore it relates to persons carrying on this sort of trade, and dealing in gold and silver plate in the ordinary sense of those words. The Act of Parliament has no relation to alchymists, who are engaged in procuring pure gold from the ore, and to persons of that description, but I think the enactment has reference to this state of things, and the persons to whom this Act of Parliament applies are clearly within it.

Now the first section, after the enacting part of it, provides with regard to persons dealing in gold plate, which includes plate composed wholly or in part of gold, and the duty is 5*l.* 15*s.* if the gold is over the weight of two ounces.

Now what is the meaning of the words, "Gold weighing more than two ounces," which imposes the necessity of paying the higher duty? I think it undoubtedly signifies, taken by itself, not pure gold, which is commercially unknown, but gold with whatever alloy there is in 22, 18, 15, or 9 carat gold, or whatever it might be. But the fifth section is introduced for the purpose of removing the difficulty of proof that might exist as to an article which was of gold wholly or in part. As the Lord Chief Baron has said, if you describe it as wholly or in part consisting of gold, it is to be taken to be gold for the purposes of this Act, as alleged. The question has been raised for the purposes of this Act, perhaps it means nothing else; but at all events, it does mean for the purpose of ascertaining what should be the proper duty payable by the person for his license; no doubt, therefore, it is a duty payable on an article sold as gold, imposed upon persons dealing in that article, where there is more than two ounces. There the case is complete. Now, that was not disputed by the learned counsel, and he could not dispute it if you read the Act of Parliament only up to the middle of the fifth section, but he says the necessary effect of the subsequent part of the fifth section is to give a different meaning, and to show that in estimating the quantity of gold for the purposes of this Act, which is dealing entirely with a commercial matter, you must take the quantity of pure gold, difficult as it is to get at it; nothing could be more inconvenient, no doubt. It is next to impossible, and might be, of course, pulling to pieces every piece of work that there

there was, but still those words cannot be rejected out of the Act of Parliament if you can give any effect to them whatever by reading in that particular clause the word gold to mean anything more than pure gold. But there is really no necessity for that whatever. Articles sold as wholly or in part consisting of gold shall be taken to be gold or silver as alleged. If a man sells an article composed partly of gold and partly of silver, for silver, for instance, it may be a silver racing cup, with a gold horse attached, and it is sold as such, and there is a duty payable in respect of the gold and in respect of the silver; but when you come to consider whether there is two ounces of gold or not, how is that to be ascertained? The Revenue say there is more than two ounces of gold in this gold horse at the top, and the man says "No, there is less." If there was more he must pay the higher duty; if less, the lower. You cannot break the thing to pieces and weigh the particular parts, therefore it is provided, that you who sell, who have the means (if you had bought it from the manufacturer you would not, perhaps, have the means, but generally speaking you have the means) of proving the amount of gold there is, and the burden of proof lies upon you, that seems to me to be pretty clearly the sort of case to which that part of the section applies where it is alleged to be part of gold, and the question is, how much, whether the larger or smaller quantity. It is not necessary for the Crown to give any evidence of that. It being partly of gold it may be taken to be of more than two ounces for that purpose; but the question is really touching the quantity of gold contained in the article, and the proof of such quantity shall be upon the defendant.

I do not find any difficulty such as the learned counsel has pressed so much in one part of his argument, and which he insisted upon, at all arising on the question which he raised entirely upon that part of the section. Unless there be that difficulty, I think it is as clear as any case can be.

I agree, therefore, that the case must be sent back, with the intimation that he must pay the higher duty.

## Appendix, No. 6.

PAPER referred to the Committee.

Appendix, No. 6. *In Parliament—House of Commons—Session 1878.]*

## WATCH CASES (HALL MARKING) BILL.

## PETITION AGAINST THE BILL.

To the Honourable the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled.

The humble Petition of HENRY ASHER ROBBINS and DANIEL FULLER APPLETON, of Waltham Buildings, Holborn Circus, in the City of London, Agents and Factors for the American Watch Company,

Sheweth,

1. THAT a Bill has been brought into and is now pending in your Honourable House, intituled "A Bill to amend the Law relating to the Hall Marking of Watch Cases."
2. That the Preamble of the said Bill states as follows, to wit:—  

"Whereas the hall marks impressed by the corporations authorised by law to assay and mark gold and silver plate in the United Kingdom have by usage become distinctive of articles of British manufacture only, notwithstanding that those corporations are not legally entitled to refuse to mark articles manufactured out of the United Kingdom, and it is expedient that these hall marks be made so distinctive by law."
3. By Clause 3 it is proposed to be enacted, "that the corporations authorised by law to assay and mark gold and silver plate in the United Kingdom shall not assay or mark any watch-case which is not manufactured in the United Kingdom."
4. By Clause 4 the corporations authorised by law will be bound to require a statutory declaration from the person requiring any watch-case to be marked, that the same was manufactured in the United Kingdom.
5. Your Petitioners are agents for the American Company above-named, who sell watches to the extent of many thousands per annum.
6. Your Petitioners' trade depends to a great extent on the watch movements supplied being cased in metal of equal value to that of the English made watch movements, and they would gladly have all their cases manufactured in England if it were possible for them to do so, but they find it necessary, in order to obtain a sufficient supply of cases, to have a large quantity made in America, another large number made in Switzerland, whilst the remainder are made in Birmingham.
7. Your Petitioners desire to have their watch cases subjected to the same tests as are applied to the goods manufactured in England, and respectfully submit that their desire to offer their goods for stamping by the proper authorities is a proof of their *bona fides*.
8. They further humbly submit that the refusal to stamp American or other foreign goods which can be legally imported would be at once an incentive, amongst dishonest dealers and importers, to forgery or perjury; and, moreover, such refusal is against the principle of free trade, which has prevailed in this country for nearly a third of a century.
9. Your Petitioners also submit that to refuse to mark as "genuine" the watch cases made out of this country would be unjust, not only to the various assay offices, who would be thereby deprived of a large portion of their revenue, but also to the producers and the public, who would have no means of obtaining any authoritative guarantee of the genuineness of goods of foreign manufacture.

10. By

10. By the Preamble of the Bill it is stated that hall-marks have by usage become distinctive of articles of British manufacture only, and goes on to say the corporations cannot legally refuse to mark articles manufactured out of the United Kingdom. Appendix, No. 6.

11. On this statement your Petitioners submit that, in the event of Parliament allowing the Bill to be read a second time, the whole matter should be referred to a Select Committee of your Honourable House, inasmuch as the purport of the Bill is wholly to alter the constitution of an authorised tribunal whose powers to stamp foreign manufactures is admitted on the face of the Bill, and to establish by law an usage which your Petitioners deny.

12. They therefore crave leave to be heard before such Committee in support of this Petition, and they claim to have their manufactures marked as the existing law allows.

Your Petitioners therefore humble pray your Honourable House that the proposed Bill may not pass into law as it now stands, but that they may be heard before any Committee of your Honourable House, to whom the said Bill may be referred, by themselves, their counsel, agents, and witnesses against the Preamble thereof, and such of the clauses as affect their interests.

*Henry Asher Robbins.*  
*Daniel Fuller Appleton.*

Appendix, No. 7.

PAPER handed in by the *Chairman*.

Appendix, No. 7. RETURN of GOLD and SILVER WATCH CASES Assayed at the CHESTER ASSAY OFFICE during the last Ten Years from 1868 to 1877.

GOLD WATCH CASES.

Year.				18 Carat.	15 Carat.	12 Carat.	9 Carat.
1868	-	-	-	11,446	-	6	—
1869	-	-	-	10,858	12	12	18
1870	-	-	-	12,050	-	19	25
1871	-	-	-	12,549	-	12	—
1872	-	-	-	12,919	-	12	6
1873	-	-	-	12,503	-	12	—
1874	-	-	-	11,987	-	6	—
1875	-	-	-	11,595	—	—	—
1876	-	-	-	11,123	-	12	—
1877	-	-	-	11,254	-	6	87

*Note.*—The above are all English made watch cases with the exception of 395 in the year 1876 and 1,065 in the year 1877.

SILVER WATCH CASES.

Year.			Silver.	Year.			Silver.
1868	-	-	17,345	1873	-	-	36,423
1869	-	-	15,583	1874	-	-	34,564
1870	-	-	14,763	1875	-	-	25,778
1871	-	-	18,395	1876	-	-	34,842
1872	-	-	28,993	1877	-	-	45,355

*Note.*—The above are all English made watch cases with the exception of 10,224 in the year 1876 and 20,704 in the year 1877.

RETURN of GOLD WATCH CASES of the lower Standards, from the Year 1855 to 1878

WATCH CASES.

Year.	15 Carat.	12 Carat.	9 Carat.	Year.	15 Carat.	12 Carat.	9 Carat.	
1855	-	166	132	151	1867	-	1	6
1856	-	208	263	360	1868	-	6	—
1857	-	147	195	832	1869	12	12	18
1858	-	24	105	42	1870	-	19	25
1859	-	2	74	449	1871	-	12	—
1860	-	17	38	151	1872	-	12	6
1861	-	-	60	32	1873	-	12	—
1862	-	25	42	9	1874	-	6	—
1863	-	28	48	18	1875	—	—	—
1864	-	6	31	7	1876	-	12	—
1865	-	-	14	—	1877	-	6	87
1866	-	-	21	—				

Appendix, No 8.

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PAPER handed in by the *Chairman*.

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LETTER from Messrs. *Watson & Esam* to the Chairman of the Committee.

Appendix, No. 8.

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Dear Sir,

29, Bank-street, Sheffield, 5 July 1878.

WE are obliged by your letter of the 3rd instant, on receipt of which we summoned a meeting of the Committee of Guardians of the Sheffield Assay Hall, which has been held to-day, and we have been requested to say, in answer to your inquiries:—

(a.) The guardians consider that if the abolition of the duty would tend in any degree to do away with hall-marking it should be retained, and if the duty be abolished or reduced, care should be taken that a drawback be allowed in respect of manufacturers and dealers' stocks on which the duty has been already paid.

(b.) The guardians are strongly in favour of the retention of hall-marking, and would consider it a great misfortune if it were done away with.

(c.) And they are quite satisfied with the existing system—

And unless the Committee intimate a desire to hear evidence from Sheffield, the guardians do not themselves propose to tender any.

Thanking you for your attention,

We are, &c.  
*Watson & Esam.*

Sir Henry Jackson, Q.C., M.P.



Appendix, No. 9.

PAPER handed in by Mr. Garnett.

Appendix, No. 9. STATEMENT prepared in accordance with the desire expressed by Select Committee of the House of Commons on GOLD and SILVER HALL MARKING, showing the present State of the LAWS which relate to DUTIES on PLATE and LICENSES to deal in PLATE.

Inland Revenue Office, }  
19 July 1878.

CHRONOLOGICAL ABSTRACT of ACTS relating to PLATE DUTIES and LICENSES.

YEAR.	SCHEDULE OF ACTS REFERRED TO.	SECTIONS.
1719 - - - -	6 Geo. 1, c. 11 - - - -	2, 3. 41.
1738 - - - -	12 Geo. 2, c. 26 - - - -	2. 6.
1737 - - - -	31 Geo. 2, c. 32 - - - -	5. 8, 9.
1784 - - - -	24 Geo. 3, Sess. 2, c. 53 - - - -	4-10. 13, 14, 15. 17 and 19.
1785 - - - -	25 Geo. 3, c. 64 - - - -	1. 3. 5, 6.
1790 - - - -	30 Geo. 3, c. 31 - - - -	3-6.
1803 - - - -	41 Geo. 3, c. 98 - - - -	2.
1812 - - - -	52 Geo. 3, c. 59 - - - -	Single sect.
1815 - - - -	55 Geo. 3, c. 185 - - - -	2. 4. 7, and Schedule.
1820 - - - -	1 Geo. 4. c. 14 - - - -	Preamble and sect. 2.
1841 - - - -	4 & 5 Vict. c. 56 - - - -	1. 4, 5, and 6.
1842 - - - -	5 & 6 Vict. c. 82 - - - -	1 and 2.
1844 - - - -	7 & 8 Vict. c. 22 - - - -	All except 1. 18, 19.
1849 - - - -	12 & 13 Vict. c. 80 - - - -	2.
1854 - - - -	17 & 18 Vict. c. 96 - - - -	3.
1855 - - - -	18 & 19 Vict. c. 60 - - - -	Except 2 and 3.
1866 - - - -	29 & 30 Vict. c. 64 - - - -	15.
IRELAND:		
1806 - - - -	47 Geo. 3, Sess. 1, c. 18 - - - -	Repealed.
1807 - - - -	47 Geo. 3, Sess. 2, c. 15 - - - -	Except 1, 2, and 12.
1825 - - - -	6 Geo. 4, c. 118 - - - -	Repealed.
1842 - - - -	5 & 6 Vict., c. 82 - - - -	1 and 2.
SCOTLAND:		
1772 - - - -	13 Geo. 3, c. 59 - - - -	---
PLATE-DEALER'S LICENSE:		
1757 - - - -	31 Geo. 2, c. 32 - - - -	---
1802 - - - -	43 Geo. 3, c. 69 - - - -	Repealed.
1815 - - - -	55 Geo. 3, c. 19 - - - -	Nothing material.
1825 - - - -	6 Geo. 4, c. 118 - - - -	Repealed.
1867 - - - -	30 & 31 Vict. c. 90 - - - -	---
1870 - - - -	33 & 34 Vict. c. 32 - - - -	4.

6 Geo. 1, c. 11. 1719. The duty on plate was imposed for the first time in Great Britain in 1719. It was an Excise Duty of 6 d. per oz. on silver plate only. All the parts of the Act relating to the duty have been repealed.

The following Act does not relate to the Duty :

Appendix No. 9.

“ An Act for the better preventing Frauds and Abuses in Gold and Silver Wares.”

This Act, which has reference principally to the standard and marks, also provides, *inter alia*.— 12 Geo. 11, c. 26.  
1738-9.

Sect. 2. That this Act shall not extend to jewellers' works (except mourning rings).

Sect. 6. Exemption of certain wares from the obligation to be stamped or marked, viz.:—

Gold Articles exempt from being Assayed or Marked, but liable to Duty if so.

Rings.	Ornaments, small or slight, put to amber or other eggs or urns.
Collets for rings or other jewels.	Seals, wrought.
Chains.	Coral sockets and bells.
Necklace-beads.	Ferrils.
Locketts.	Pipe lighters.
Buttons, hollow or raised.	Cranes for bottles.
Buttons for sleeves.	Bookclasps, very small.
Thimbles, whereof tops or bottoms are made of shell or stone.	Stock or garter clasps, jointed.
Sliding pencils.	Nutmeg graters, very small.
Toothpick cases.	Snuffbox rims.
Tweezer cases.	Pencil cases.
Tippings or swages on stone or ivory cases.	Needle cases.
Mounts, screws, or stoppers to stone or glass bottles or phials.	Filigree work.
	Seals in carnelian or other stones set therein.

Any manufacture of gold or silver so richly engraved, carved or chased, or set with jewels or other stones, as not to admit of an assay to be taken of, or a mark to be struck thereon, without damaging, prejudicing, or defacing the same.

Things which, by reason of their smallness or thinness, are not capable of receiving the marks, and not weighing 10 dwt. of gold or silver each.

Repealed so far as relates to the not obliging the wares of silver in this section specifically named or mentioned, and such other wares or things of silver as are in this section generally named, mentioned, or referred to in any manner howsoever, to be stamped or marked by the said respective companies of goldsmiths, or any of them, 30 Geo. 3, c. 31, s. 1.

“ An Act for repealing the Duty granted by an Act made in the Sixth Year of the Reign of His late Majesty on Silver Plate, made, wrought, touched, assayed, or marked in Great Britain, and for granting a Duty on Licenses to be taken out by all Persons dealing in Gold or Silver Plate, and for discontinuing all Drawbacks upon Silver Plate exported; and for more effectually preventing Fraud and Abuses in the marking or stamping of Gold or Silver Plate.” 31 Geo. 2, c. 32.  
1757.

The Act has been repealed, except Sect. 5, as to duty remitted on plate unfinished, and not fit for use before 1st June 1758. Sect. 5.

Sect. 8. As to payment and application of duties. Sect. 8.

Sect. 9. No drawback to be allowed on exportation of plate. Sect. 9.

These sections have no operation, but they have not been repealed, and remain in the revised Statutes.

“ An Act for granting to His Majesty certain Duties on all Gold and Silver Plate imported, and also certain Duties on all Gold and Silver-wrought Plate made in Great Britain.” 24 Geo. 3, Sess. 2,  
c. 53.

By this Act the duties on plate were re-imposed and placed under the Commissioners of Stamps.

The duties granted were 8 s. per ounce troy, on gold plate, and 6 d. per ounce on silver plate, after the 1st December 1784, imported into or wrought in Great Britain, was partly repealed by 25 Geo. 3, c. 64, s. 2, and partly by Statute Law Revision Act, 1861. The following sections still remain in force, viz.:

Sect. 4, requiring goldsmiths to send to the Assay Office, with every parcel of gold or silver, a written note specifying certain particulars.

Sect. 5. As to marking plate, paying duties to assay offices, and giving receipt for duties.

Sect. 6. As to the payment of duties by assay master, and delivery of notes to the clerk or accountant.

Sect. 7. Allowance of one-fifth for goods sent to be assayed in a rough state.

Sect. 8. Prohibition of sale, exchange, or import, without being marked, under penalty of 50 l. and forfeiture.

Sect. 9. Enumeration of particular wares to which this Act shall not extend.

Sect. 10. Duty to be returned for all gold and silver defaced for being coarser than the standard (if no intended fraud shall appear).

Sect. 13. Copies of accounts to be rendered to Commissioners of Stamps by clerk or accountant of the Company of Goldsmiths in London, within two months after quarter day, and duties to be paid to the Receiver General.

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Sect. 14.

- Appendix No. 9.** Sect. 14. Similar regulations as to Edinburgh and country assay offices.  
Sect. 15. Allowance of 6 *d.* in the pound on paying and accounting for the duties.  
Sects. 17 and 19. Relating to penalties and pleadings.
- 25 Geo. 3, c. 64. "An Act for altering and amending an Act made in the last Session of Parliament, intituled, 'An Act for granting to His Majesty certain Duties on all Gold and Silver Plate imported, and also certain Duties on all Gold and Silver wrought Plate made in Great Britain.'"
- Sects. 2 and 4 repealed by Statute Law Revision Act, 1871.  
Sect. 1. Allowance of one-sixth part of the duty for unfinished plate.  
Sects. 3, 5, and 6, relating to duties on plate exported.
- 30 Geo. 3, c. 31. 1790. "An Act to alter so much of an Act made in the Twelfth Year of the Reign of his late Majesty King George the Second, intituled 'An Act for the better preventing Frauds and Abuses in Gold and Silver Wares;' and also so much of another Act made in the Twenty-fourth Year of the Reign of his present Majesty, intituled, 'An Act for granting to his Majesty certain Duties on all Gold and Silver Plate imported, and also certain Duties on all Gold and Silver wrought Plate made in Great Britain,' as relates to the marking of silver wares."
- This Act, which is still in force as regards the Preamble, and Secs. 3 to 6, provides for exemption of certain silver wares from being stamped.
- 44 Geo. 3, c. 98. The Act 44 Geo. 3, c. 98 (which is repealed, Statute Law Revision Act, 1872, except certain sections and schedules thereof, so far as the same relate to the duties on medicines and on licenses for vending the same) contained the following enactment:
- Sect. 2 . . . there shall be made, allowed, and paid for in respect of all such articles, matters, or things as are inserted, enumerated, and described in the Schedule marked (c.) hereunto annexed, the several allowances, drawbacks, or sums of money as the same are respectively described and set forth in the said Schedule marked (c.).

The following Drawback was set forth in Schedule (c):

#### DRAWBACK.

For or in respect of gold plate and silver plate, wrought or manufactured in Great Britain, which shall be duly exported by way of merchandise to Ireland or any foreign parts, the whole duties which shall have been paid for the same.

- 52 Geo. 3, c. 59. 1812. "An Act for allowing on the Exportation of Manufactured Plate for the Private Use of Persons residing or going to reside Abroad, the same Drawback as now allowed on the Exportation of such Plate by way of Merchandise."
- This Act, which refers to the last-mentioned Act of 44 Geo. 3, c. 98, consists of a single section, which is still in force.
- 55 Geo. 3, c. 185. 1815] "An Act for repealing the Stamp Office Duties on Advertisements, Almanacks, Newspapers, Gold and Silver Plate, Stage Coaches and Licences for keeping Stage Coaches, now payable in Great Britain, and for granting new Duties in lieu thereof."
- This Act which repealed the duties granted by 44 Geo. 3, c. 98, was repealed by Statute Law Revision Act, 1873, except the following sections, and the schedule so far as such sections and schedule relate to the duties on plate, viz.:
- Sect. 2, by which the duties specified in the schedule are granted.  
Sect. 4. Powers and provisions of former Acts to be in force with regard to the duties hereby granted.  
Sect. 7. Forgery of marks for stamping gold and silver plate under Plate Duty Acts, &c., to be felony.

The Schedule to which this Act refers:

	Duty per Ounce.
Plate of gold made or wrought in Great Britain, and which shall or ought to be touched, assayed, and marked in Great Britain, for every ounce thereof, and so on in proportion for any greater or less quantity	£. s. d. - 17 -
Exemption.—Gold watch-cases.	
Plate of silver made or wrought in Great Britain, and which shall or ought to be touched, assayed, or marked in Great Britain, for every ounce thereof, and so on in proportion for any greater or less quantity	- 1 6

## EXEMPTIONS.

All watch-cases, chains, necklace beads, locket, filigree work, shirt buckles or brooches, stamped medals, and spouts to china, stone or earthenware, teapots of silver of any weight whatsoever.

Tippings, swages, or mounts, not weighing 10 pennyweights of silver each, and not being necks or collars for castors, cruets, or glasses appertaining to any sorts of stands or frames, wares of silver not weighing 5 pennyweights of silver each, but this exemption not to include necks, tops, and collars for castors, cruets, or glasses appertaining to any sorts of stands or frames; buttons to be affixed to or set on any wearing apparel, solid silver buttons and solid studs not having a bezelled edge soldered on, wrought seals, blank seals, bottle tickets, shoe clasps, patch boxes, salt spoons, salt ladles, teaspoons, tea strainers, caddy ladles, buckles and pieces of garnish, cabinets, or knife cases, or tea chests, or bridles, or stands, or frames.

“ An Act to Repeal the Drawback on certain Gold Articles exported.” &c.

1 Geo. 4, c. 14.  
1820.

By the Preamble and Section 2 (which alone remain in force) no drawback or allowance is to be paid on the exportation of gold plate made in Great Britain into rings, or of any article of gold manufactured in Great Britain, unless it exceeds the weight of two ounces.

The remainder of this Act relating to another subject was repealed by Statute Law Revision Act, 1874.

“ An Act for taking away the Punishment of Death in certain Cases and substituting  
“ other Punishment in lieu thereof.”

4 & 5 Vict. 56.  
1841.

This Act is repealed; Statute Law Revision Act, 1874 (No. 2), except Sects. 1, 4, and 6, so far as they relate to offences mentioned in 55 Geo. 3, c. 185, s. 7, and except part of Sect. 5.

“ An Act to assimilate the Stamp Duties in Great Britain and Ireland, and to make  
“ Regulations for collecting and managing the same until the 10th day of October  
“ 1845.” (Partly repealed by 8 & 9 Vict. c. 76, s. 1 and 33 & 34 Vict. c. 99.)

5 & 6 Vict. c. 82.  
1842.

Sect. 1. Repeal of duties on gold and silver plate granted by 47 Geo. 3, s. 1, c. 18.

Sect. 2. Duties on gold and silver plate to be the same as by 55 Geo. 3, c. 185.

“ An Act to amend the Laws now in force for preventing Frauds and Abuses in the  
“ marking of Gold and Silver Wares in England.”

7 & 8 Vict. 22.  
1844.

Sects. 1, 18, and 19 of this Act were repealed by Statute Law Revision Act, 1874 (No. 2).

The remainder of the Act, consisting of 17 sections, contains regulations as to assaying and marking plate when additions are made, penalties for altering or adding to any ware without bringing the same to be re-assayed, and for selling such ware without the same being marked, and penalties on companies and their officers for marking base metal, &c.

“ An Act to Repeal the Allowances on the Purchase of Stamps, and for the receiving  
“ and accounting for the Duties on Gold and Silver Plate, and to grant other Allow-  
“ ances in lieu thereof.”

12 & 13 Vict. 80.  
1848.

The whole Act was repealed by 33 & 34 Vict. c. 99, except so much of Sect. 2 as relates to the allowance for collecting duty on plate, which was thereby fixed at 1 l. per 100 l.

“ An Act for allowing Gold Wares to be manufactured at a lower Standard than that  
“ now allowed by Law, and to amend the Law relating to the assaying of Gold and  
“ Silver Wares.”

17 & 18 Vict. 96.  
1854.

The only section of that Act which affected the duty was Sect. 3, viz :

“ If any of the gold wares which, by any Statute now in force, are not liable to be assayed and marked, shall nevertheless be assayed and marked as one of the standards authorised by law, such wares shall not by reason thereof be chargeable with the duty now levied upon gold plate.”

The operation of this section would have been to exempt gold rings from the plate duty, which was not intended; and in the following Session, therefore, an Act was passed which had the effect of repealing Sect. 3 of this Act, so far as the same might affect gold wedding-rings.

“ An Act for excepting Gold Wedding-rings from the Operation of the Act of last  
“ Session relating to the standard of Gold and Silver Wares, and from the Exemp-  
“ tions contained in other Acts relating to Wares.”

18 & 19 Vict. 60.  
1855.

Sections 2 and 3 of this Act were repealed by the Statute Law Revision Act, 1875.

The effect of the provision still remaining in force is, that all gold wedding-rings are required

Appendix, No. 9. required to be assayed and marked in the same manner as gold plate, and are in effect rendered liable to duty.

29 & 30 Vict. c. 64.  
1866.

“An Act to Amend the Laws relating to the Inland Revenue.”

Sect. 15 provides for allowing drawback on plate made in Great Britain exported from Ireland, and on Irish plate exported from Great Britain.

## IRELAND.

The duties were first imposed in 1730 at 6*d.* per ounce both on gold and silver. The rates were doubled in 1807 by the Act of 47 Geo. 3 (Sess. I.), c. 18, which was repealed by Statute Law Revision Act, 1872 (No. 2).

The receipt of the duties was committed to the Excise Department, until by the Act of 6 Geo. 4, c. 118, it was transferred to the Department of Stamps.

47 Geo. 3, Sess. 2,  
c. 15. 1807.

“An Act to provide for the regulating and securing the Collection of the Duty on  
“Gold and Silver Plate wrought or manufactured in Ireland.”

This Act is still in force, except Sects. 1, 2 and 12, repealed by Statute Law Revision Act, 1872 (No. 2).

Sects. 3 and 4, relate to the assaying and marking by the Assay Master, &c.

Sect. 5, provides for a written note to be delivered of certain particulars, and of the weight of every parcel of gold or silver, and for payment of the duty.

Sect. 6. As to accounting for the duty.

Sect. 7. Allowance of one-sixth of duty on goods sent to be assayed in a rough state.

Sect. 8. As to filing of notes and accounts of duties to be kept in books.

Sect. 9, provides for books being lodged by Assay Master with Goldsmiths' Company, and for inspection of such books.

Sect. 10. As to payment of the duties.

Sect. 11. As to any Deputy Assay Masters in the country paying the duty and accounting.

Sects. 13 to 17. Penalties for various offences and mode of recovery.

5 & 6 Vict. c. 82.  
1842.

“An Act to assimilate the Stamp Duties in Great Britain and Ireland, and to make  
“Regulations for collecting and managing the same until the Tenth day of October  
“1845.” (Partly repealed by 8 & 9 Vict. c. 76, s. 1, and 33 & 34 Vict. c. 99.)

Sect. 1. Repeal of duties on gold and silver plate granted by 47 Geo. 3, s. 1, c. 18.

Sect. 2. Duties on gold and silver plate to be the same as by 53 Geo. 3, c. 185.

## SCOTLAND.

13 Geo. 3, 59.

“An Act for Repealing so much of an Act of the Thirty-first Year of his late Majesty, as  
“inflicts Capital Punishment for Frauds and Abuses in the marking and stamping of  
“Gold or Silver Plate; and for inflicting another Punishment for the said Offence.”

Repealed as to England, 7 & 8 Vict. 22, s. 1.

## PLATE DEALERS' LICENSES.

The license duties were first imposed in Great Britain by the Act of 31 Geo. 2, c. 32 (1757), when the excise duty on wrought plate was repealed, and in Ireland by the Act of 55 Geo. 3, c. 19 (1815), when license duties were imposed in addition to the plate duties.

The duties at the present rates were established as excise duties in Great Britain by the Act of 43 Geo. 3, c. 69, and transferred to the Commissioners of Stamps by the Act of 6 Geo. 4, 118, which was repealed by Statute Law Revision Act, 1874.

By Act of 5 & 6 Vict. c. 82 (1842), the duties were assimilated in Ireland.

The present law is contained in the Act 30 & 31 Vict. c. 90, by which the enactments then in force in the following Acts were repealed, viz.:

31 Geo. 2	-	-	-	-	c. 32
33 Geo. 2	-	-	-	-	c. 24
52 Geo. 3	-	-	-	-	c. 32
6 Geo. 4	-	-	-	-	c. 118
9 Geo. 4	-	-	-	-	c. 49
5 & 6 Vict.	-	-	-	-	c. 82

The

The duties payable are as follows, viz.:

By every person who shall trade in or sell any article composed wholly or in part of gold or silver, in respect of every house, shop, or other place in which his trade or business shall be carried on (b.).

Where the gold shall be above 2 pennyweights, and under 2 ounces in weight, or the silver above 5 pennyweights and under 30 ounces in weight, the sum of 2 *l.* 6 *s.*

Where the gold shall be of the weight of 2 ounces or upwards, or the silver of the weight of 30 ounces or upwards, the sum of 5 *l.* 15 *s.*

By every person duly licensed as a hawker, pedlar, or petty chapman, who shall sell in the ordinary course of his trading as a hawker, pedlar, or petty chapman, any article composed wholly or in part of gold or silver, the same duties as above mentioned according to the weight of the gold or silver (c.).

By every pawnbroker who shall trade in or sell any article composed wholly or in part of gold or silver, or who shall take in pawn, or deliver out of pawn, any such article, in respect of every house, shop, or other place in which his trade or business shall be carried on, the sum of 5 *l.* 15 *s.*

By every refiner of gold or silver, in respect of every house, shop, or other place as aforesaid, the sum of 5 *l.* 15 *s.*

Sect. 3. A penalty of 50 *l.* is imposed for dealing without license. This penalty may be mitigated under the general regulations of the Excise Laws.

Sect. 4. No license is required in respect of gold or silver lace, or gold and silver wire, thread, or fringe.

Sect. 5. All articles sold, or offered for sale, or taken in pawn, or delivered out of pawn, and alleged to be composed wholly or in part of gold or silver, are, for the purposes of the Act, to be deemed and taken to be composed of gold or silver respectively as alleged.

On the hearing of an information for any offence against the Act, if a question arises regarding the quantity of gold or silver contained in any article, the proof of the quantity lies on the defendant.

The licenses run from the date of granting to the 5th July next after the grant.

The only enactment on the subject since the passing of the Act of 1867, is that contained in "The Customs and Inland Revenue Act, 1870," 33 & 34 Vict. c. 32, s. 4, which provides that it shall not be necessary for any person to take out a license as a dealer in plate, in order to enable him to sell watch-cases which shall have been made by him.

## Appendix, No. 10.

PAPER handed in by Mr. Farrer.

Appendix, No. 10.

QUANTITIES and VALUE of the EXPORTS of GOLD and SILVER PLATE, of BRITISH MANUFACTURE, in each of the Years 1872, 1873, 1874, 1875, and 1876.

	GOLD PLATE.									
	QUANTITIES.					VALUE.				
	1872.	1873.	1874.	1875.	1876.	1872.	1873.	1874.	1875.	1876.
	Oz.	Oz.	Oz.	Oz.	Oz.	£.	£.	£.	£.	£.
To all Countries -	58	59	79	25	78	284	298	323	165	376
SILVER PLATE.										
	Oz.	Oz.	Oz.	Oz.	Oz.	£.	£.	£.	£.	£.
To Belgium -	18,906	36,183	19,511	17,533	13,428	8,693	17,386	10,716	11,072	7,591
„ France -	29,215	18,327	27,987	14,798	14,973	14,802	10,961	22,144	9,303	9,682
„ British India -	11,844	8,708	8,398	18,252	11,231	5,725	5,472	5,165	10,980	6,012
„ Australia -	12,206	17,455	18,873	23,483	32,270	6,703	8,764	10,065	12,534	17,172
„ Other Countries -	77,697	72,460	67,719	44,994	52,159	37,306	39,745	37,734	25,292	29,442
TOTAL -	149,868	153,133	142,488	119,060	124,061	73,229	82,328	85,824	69,181	69,899

QUANTITIES and VALUE of EXPORTS of GOLD and SILVER PLATE, of FOREIGN and COLONIAL MANUFACTURE, in each of the Years from 1867 to 1876 inclusive.

YEARS				SILVER PLATE.		GOLD PLATE.	
				QUANTITIES.	VALUE.	QUANTITIES.	VALUE.
				Oz.	£.	Oz.	£.
1867	-	-	-	4,153	1,038	- - -	No returns.
1868	-	-	-	7,175	1,794	333	999
1869	-	-	-	3,886	959	- - -	No returns.
1870	-	-	-	15,718	3,930	- - -	Ditto.
1871	-	-	-	45,283	24,353	- - -	Ditto.
1872	-	-	-	16,740	6,237	6	18
1873	-	-	-	8,918	3,570	- - -	No returns.
1874	-	-	-	10,124	4,805	- - -	Ditto.
1875	-	-	-	7,909	5,135	- - -	Ditto.
1876	-	-	-	7,694	6,115	- - -	Ditto.

Statistical and Commercial Department, }  
Board of Trade, 18 July 1878.



AMOUNT of REPAYMENTS on account of DRAWBACKS from the STAMP DUTY upon GOLD and SILVER PLATE, in each of the Years from 1867-68 to 1876-77 inclusive.

YEARS.		GOLD AND SILVER PLATE.	YEARS.		GOLD AND SILVER PLATE.
		Amount of Drawbacks.			Amount of Drawbacks.
		£.			£.
1867-68	- -	8,066	1872-73	- -	8,622
1868-69	- -	7,431	1873-74	- -	8,819
1869-70	- -	7,570	1874-75	- -	9,077
1870-71	- -	5,588	1875-76	- -	7,861
1871-72	- -	6,666	1876-77	- -	8,252

Statistical and Commercial Department,  
Board of Trade, 13 July 1878.

QUANTITIES and VALUE of the IMPORTS of PLATE of GOLD and of SILVER, GILT or UNGILT, into the UNITED KINGDOM, in each of the Years 1872, 1873, 1874, 1875, and 1876.

	P L A T E O F G O L D.									
	QUANTITIES.					VALUE.				
	1872.	1873.	1874.	1875.	1876.	1872.	1873.	1874.	1875.	1876.
	Oz.	Oz.	Oz.	Oz.	Oz.	£.	£.	£.	£.	£.
From all Countries -	52	58	68	33	32	226	366	400	136	131
P L A T E O F S I L V E R, G I L T O R U N G I L T.										
From Belgium -	10,820	11,899	11,082	18,024	19,031	5,858	6,428	5,540	7,336	9,486
From France - -	18,647	12,218	20,207	9,748	12,647	6,505	5,959	11,890	4,810	4,880
From other Countries	56,079	57,551	54,560	44,503	75,220	25,462	24,744	23,994	19,072	36,132
TOTAL - - -	85,546	81,668	85,849	72,275	106,898	37,825	37,131	41,424	31,218	50,498

TOTAL VALUE of GOLD and SILVER MANUFACTURES IMPORTED into and EXPORTED from the UNITED STATES in each of the Years 1875, 1876, and 1877 (Years ended 30th June).

ARTICLES.	Imports into the United States.			Exports from the United States.		
	1875.	1876.	1877.	1875.	1876.	1877.
Manufactures of Gold and Silver :	£.	£.	£.	£.	£.	£.
Articles of Ornament - -	377	4,055	486	31,017	15,916	27,603
Not otherwise specified - -	356	1,526	4,991			

Statistical and Commercial Department,  
Board of Trade, 29 July 1878.

Watches and jewellery are not included in the Return of gold or silver plate imported or exported, but watch-cases in some cases probably, may be, as the amount paid for drawback does not agree with the amount exported.



**I N D E X**

**TO THE**

**R E P O R T**

**FROM THE**

**S E L E C T   C O M M I T T E E**

**ON**

**GOLD AND SILVER (HALL MARKING).**

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*Ordered, by The House of Commons, to be Printed,  
31 July 1878.*

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I N D E X.

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## I N D E X.

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## ASSAYS, AND ASSAY OFFICES :

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#### DUTIES :

1. *Origin of the Duties on Gold and Silver Plate; Acts of Parliament by which regulated.*
2. *Amount.*
3. *Question of Abolition or Retention.*

1. *Origin of the Duties on Gold and Silver Plate; Acts of Parliament by which regulated :*

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#### 2. *Amount :*

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*Imports.* Statement of the quantities and value of the imports of plate of gold, and of silver, gilt or ungilt, in each of the years 1872-76, *App.* 203.

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*Inland Revenue Board.* Recommendations made in the First and Thirteenth Reports (1857 and 1870) of the Commissioners of Inland Revenue for the amendment and consolidation of the law; Bill prepared by the department for the purpose, but not introduced into Parliament, *Garnett* 565, 566—Explanation as to the Inland Revenue Board not having called the attention of Government to the fluctuations in the duty, and to its stagnant character on the whole, *ib.* 693-705.

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*Manufacturers and Dealers.* Obligation upon the manufacturer as to having his goods hall-marked before they go to the wholesale dealer, *Watherston* 209-213—Admission as to the majority of the trade being opposed to the views expressed by witness; reference hereon to the resolutions passed at a meeting of manufacturers at St. James's Hall, on 3rd April last, *ib.* 351-361. 365. 375—Considerable number of manufacturers and dealers throughout the country who are desirous to have the duty removed, *ib.* 473-475.

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*Newcastle-upon-Tyne Assay Office.* Very few manufacturers who use the Newcastle office, *Garnett* 619.

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*Prices.* Belief that remission of duty would not lead to reduction of price, except upon spoons and forks, or heavy goods, *Garrard* 1243. 1351-1353—Very little benefit to the public in the price by abolishing the duty, *Thomas* 1399-1401. 1433-1435.

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*Prideaux, Walter.* (Analysis of his Evidence.)—Experience of witness in connection with Goldsmiths' Hall since 1829; he has been clerk and legal adviser of the Goldsmiths' Company for twenty-six years, 1519-1521—Great care taken by witness in preparing and verifying for the Committee a summary of the Acts of Parliament and charters relating to the Goldsmiths' Company, 1522, 1523 (*App.* 176-185).

Rule established at the Assay Office, in accordance with the provisions of the Act 12 Geo. 2, c. 26, whereby all the parts which constitute each complete article sent for assay must be marked; reference to watch cases in illustration, 1524-1526—Provision in

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[Second Examination.]—Further examination of the arrangements proposed by witness for securing the hall-marking of all foreign plate imported; that is, if the present laws are to be maintained, 1765-1767. 1773-1775. 1797. 1830—Strong feeling of the trade in America in favour of a hall-mark in that country, even if it involved payment of duty, 1768-1772. 1805, 1806.

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Paper handed in (*App.* 187), showing all the marks in use at Goldsmiths' Hall, 1862—Further paper submitted relative to the number of workers in the silver trade in 1848 and in 1878, and the weight of silver assayed and marked at Goldsmiths' Hall in each year, *ib.*

*Prideaux, Mr.* Summary submitted to the Committee by Mr. Prideaux, of Acts of Parliament, and of Charters relating to gold and silver plate, &c., from the year 1300 to the present time, *App.* 176-185.

Paper containing suggestions by Mr. Prideaux for alterations in the law as regards foreign plate, watch cases, exemptions, &c., *App.* 185-187.

*Prosecutions (Forgery, &c.).* Explanation as to the Inland Revenue Department not having prosecuted for forgery of the hall marks, though rumours of forgery have been spread; function of the Goldsmiths' Company to prosecute, *Garnett* 645-648. 682, 683.

Explanations relative to the practice of the Goldsmiths' Company in prosecuting for fraud, &c., *Prideaux* 1531. 1586-1589. 1594-1602. 1611-1619—In ten years six persons have been prosecuted for felony and forgery, five convictions having been secured, *ib.* 1531. 1586, 1587. 1597.

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*Public, The.* Sufficient security to the public in a voluntary hall-mark, or in a trade-mark, *Wetherston* 251-258. 401-410—Benefit to the trade by abolishing the duty and compulsory hall-marking, whilst purchasers could, if they wished, have assays made for a small sum, *ib.* 326-339.

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## WATCHES :

1. *Liability of Watch-cases to Compulsory Hall-marking; Exemption from Duty.*
2. *Complaints on the part of the Trade as to the Hall-marking of Foreign Cases, and as to the Sale of Swiss and American Watches for English.*
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15. *Watch-cases (Hall-marking) Bill.*

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9. *Coventry Trade:*

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I N D E X  
TO THE  
R E P O R T  
FROM THE  
SELECT COMMITTEE  
ON  
GOLD AND SILVER (HALL MARKING).

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*Ordered, by The House of Commons, to be Printed,  
31 July 1878.*

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328.

*Under 4 oz.*

R E P O R T

FROM THE

SELECT COMMITTEE

ON

CLARE COUNTY WRIT;

WITH THE

PROCEEDINGS OF THE COMMITTEE.

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*Ordered, by The House of Commons, to be Printed,  
8 August 1878.*

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*Ordered*,—[*Tuesday, 23rd July 1878*]:—THAT a Select Committee be appointed to inquire whether Sir Bryan O'Loughlen, Member for the County of Clare, has since his election accepted an office or place of profit under or from the Crown, and that they be directed to report their opinion whether he has vacated his seat by the acceptance of the said office.

Select Committee nominated—[*Tuesday, 30th July 1878*]:—of—

Mr. Secretary Cross.	Mr. William Edward Forster.
Sir Michael Hicks Beach.	Sir William Harcourt.
Mr. Attorney General.	Mr. Whitbread.
Mr. Spencer Walpole.	Mr. Butt.
Mr. Attorney General for Ireland.	Mr. Sullivan.
Lord Francis Hervey.	Mr. Adam.
Sir William Dyke.	

*Ordered*, THAT the Committee have power to send for Persons, Papers, and Records.

THAT Five be the Quorum of the Committee.

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## R E P O R T.

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THE SELECT COMMITTEE appointed to inquire whether Sir Bryan O'Loughlen, Member for the County of Clare, has since his Election accepted an Office or Place of Profit under or from the Crown, and that they be directed to report their opinion whether he has Vacated his Seat by the acceptance of the said Office;—HAVE come to the following RESOLUTION, which they have agreed to Report to the House:—

THAT your Committee are of opinion that Sir Bryan O'Loughlen, whose title to a seat in the House of Commons has been called in question, being now absent in Australia, should, upon due notice, have an opportunity of being heard in defence of his seat.

And your Committee report that it being impossible that Sir Bryan O'Loughlen should be heard during the present Session, they recommend that the proceedings of this Committee be now adjourned, and that the Committee be re-appointed next Session, in order that before a final decision shall be taken on this case, such notice may have been given to Sir Bryan O'Loughlen as may enable him, if he think fit, to be heard in defence of his seat.

And your Committee further recommend that the Secretary of State for the Colonies be requested to communicate forthwith a copy of the Resolution of this Committee to Sir Bryan O'Loughlen, which shall operate as full and sufficient notice to him to be prepared at the commencement of next Session to appear, if he think fit, in defence of his seat.

8 August 1878.

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## PROCEEDINGS OF THE COMMITTEE.

*Monday, 5th August 1878.*

**MEMBERS PRESENT:-**

Mr. Attorney General.  
Mr. Secretary Cross.  
Mr. Attorney General for  
Ireland.  
Mr. Butt.

Mr. William Edward Forster.  
Sir Michael Hicks Beach.  
Mr. Walpole.  
Sir William Harcourt.

**Mr. Secretary CROSS** was called to the Chair.

**The Committee deliberated.**

*Resolved*,—That the Chairman be directed to telegraph to Sir O'Bryan O'Loghlen in the following terms:—

**"Mr. Secretary Cross, House of Commons, to Sir Bryan O'Loughlen,  
Melbourne."**

**"Committee appointed to inquire whether you, since your election for County Clare, have accepted an office or place of profit under or from the Crown, and to report whether you have vacated your seat by accepting said office."**

"Committee met this day, appointed Chairman, and adjourned till 'Thursday.'"

**[Adjourned till Thursday next, at Twelve o'clock.]**

*Thursday, 8th August 1878.*

**MEMBERS PRESENT:**

**Mr. Secretary CROSS in the Chair.**

Mr. William Edward Forster.  
Mr. Adam.  
Sir William Dyke.  
Mr. Sullivan.  
Sir Michael Hicks Beach.

Mr. Attorney General for Ireland.  
Sir William Harcourt.  
Mr. Spencer Walpole  
Mr. Attorney General.

**The following telegram from Sir Bryan O'Loughlen was read:—**

**"To Home Secretary Cross, London.**

“ Office beyond seas and not direct from Crown. Is outside statute, and does not  
“ vacate seat. Examine Erskine May.”

**The following Papers were handed in by Sir Michael Beach :**

**BILL to Law Officers to prepare LETTERS PATENT for the Appointment  
of an Attorney General of *Jamaica*.**

OUR will and pleasure is that you prepare a Bill for Our Royal Signature to pass Our Great Seal, containing Our Grant unto Our trusty and well-beloved Hotchkyn, Esquire, of the office or place of Our Attorney General of, and in Our Island of, Jamaica:

To have, hold, exercise, and enjoy the said office unto him, the said Hotchkyn for, and during Our pleasure, together with all the rights, fees, profits, privileges and advantages thereunto belonging or appertaining, in as full and ample manner as any other person hath formerly held and enjoyed the same, with a proviso, obliging the said Hotchkyn to actual residence within Our said Island, and to execute the said office in his own person, except in case of sickness or other incapacity.

And for so doing this shall be your Warrant. Given at Our Court, at Saint James's, the Twenty-second day of October, One Thousand Seven Hundred and Two, in the First year of Our Reign.

**To Our Attorney or Solicitor General.**

By Her Majesty's Command,  
*Nottingham.*

## EXTRACT from Victoria Constitution Act; 25th March 1854.

37. THE appointment to public offices under the Government of Victoria, hereafter to become vacant, or to be created, whether such offices be salaried or not, shall be vested in the Governor with the advice of the Executive Council; with the exception of the appointments of the officers liable to retire from office on political grounds, which appointments shall be vested in the Governor alone.

Appointments to public offices.

WARRANT for appointing *William Foster Stawell* to be Attorney General of the Colony of *Victoria*.

TRUSTY and well-beloved We greet you well. Whereas We have taken into Our Royal consideration the loyalty, integrity, and ability of Our trusty and well-beloved *William Foster Stawell*, Esquire, We have thought fit hereby to authorise and require you, forthwith, to cause Letters Patent to be passed under the Public Seal of Our Colony of *Victoria*, constituting and appointing him the said *William Foster Stawell* to be Our Attorney General for Our said Colony:

To have, hold, exercise, and enjoy the said office and place during Our pleasure, together with all the rights, profits, privileges, and advantages thereunto belonging or appertaining:

And you are to cause to be inserted in the said Letters Patent a clause or proviso obliging him the said *William Foster Stawell* to actual residence within Our said Colony, and to execute the said office in his own person, except in case of sickness or other incapacity; and all such other clauses and provisoes as are requisite and necessary in this behalf:

And for so doing, this shall be your Warrant. Given at our Court at Windsor, this Twelfth day of February One Thousand Eight Hundred and Fifty-three, in the Sixteenth year of our Reign.

By Her Majesty's Command,  
*Newcastle.*

(Superscribed.)

To Our Trusty and Well Beloved Sir *Charles Augustus FitzRoy*, Knight, Our Captain General and Governor in Chief, in and over Our Colony of *Victoria*, or in his absence to Our Lieutenant Governor, or Officer administering the Government of Our said Colony.

Warrant for the Appointment of  
*William Foster Stawell*, Esquire, to be  
Attorney General of *Victoria*.

By His Excellency Sir *Henry Barkly*, Knight Commander of the Most Honourable Order of the Bath, Captain General and Governor in Chief of the Colony of *Victoria*, and Vice Admiral of the same, &c., &c., &c.

To the Honourable *John Dennistoun Wood*, of Melbourne, in the Colony of *Victoria*, Barrister-at-Law.

By the power and authority vested in me in this behalf, I, Sir *Henry Barkly*, the Governor of the said Colony, relying on your loyalty, integrity, learning, and ability, have constituted and appointed, and by these presents do constitute and appoint you, the said *John Dennistoun Wood*, to be Attorney General of the said Colony of *Victoria*, to have, hold, and enjoy the said office unto you, the said *John Dennistoun Wood*, during pleasure, and your residence in the said Colony, and execution of the duties of the said office in person (unless in case of sickness or leave of absence being duly granted unto you), together with all and singular the rights, powers, jurisdictions, and privileges, to the said office appertaining in the most full and ample manner.

Given under my hand and the seal of the Colony at Melbourne, in the said Colony, this Twenty-seventh day of October in the year of Our Lord One thousand Eight hundred and Fifty-nine, and in the Twenty-third year of Her Majesty's Reign.

L. S.

*Henry Barkly.*

By His Excellency's command,

*J. Moore.*

Entered on record by me in Register of Patents, Book 10, page 104, this Twenty-seventh day of October One thousand Eight hundred and Fifty-nine.

*J. Moore,*  
For Chief Secretary and Registrar.

EXTRACT of DRAFT of a COMMISSION passed under the Great Seal of the United Kingdom appointing Sir *George Ferguson Bowen*, G.C.M.G., to be Governor and Commander in Chief of the Colony of *Victoria* and its Dependencies.

Appointment of  
Executive Council.

IV. And we do hereby declare Our pleasure to be that there shall be an Executive Council for Our said Colony, and that the said Council shall consist of such persons as are now, or may at any time be declared by any law enacted by the Legislature of Our said Colony, to be members of Our said Council, and of such other persons as you shall, from time to time, in Our name and on Our behalf, but subject to any law as aforesaid, appoint under the said seal to be members of Our said Council.

Appointment of  
judges and justices,  
&c.

V. And we do further authorise and empower you to constitute and appoint in Our name and on Our behalf all such judges, commissioners, justices of the peace, and other necessary officers and ministers of Our said colony as may be lawfully constituted or appointed by Us.

(Victoria, No. 66.)

Sir *G. F. Bowen* to Sir *Michael Hicks Beach*.

Government House, Melbourne,  
3 April 1878.

Sir,  
ADVERTING to my Despatch, No. 48, of the 11th ultimo, I have now the honour to report that on the 27th ultimo, the late Attorney General, the Honourable *R. Le Poer Trench*, tendered his resignation, having accepted the permanent office of Chief Commissioner, under the provisions of the Land Tax Act.

2. At the instance of my responsible advisers, I appointed Sir *Bryan O'Loughlen*, Baronet, to succeed Mr. Trench as the Attorney General of Victoria.

The Right Honourable  
Sir *Edward Michael Hicks Beach*, Bart., M.P.  
&c. &c. &c.

I have, &c.  
(signed) *G. F. Bowen*.

P.S.—12th April. The appointment of Sir *Bryan O'Loughlen* as Attorney General, vacated his seat for West Melbourne, and he was again opposed there by Mr. Francis, who contested that electorate with him a few weeks ago.\* This is chiefly a mercantile constituency, and Mr. Francis gained much support as a leading and popular merchant and veteran politician. Moreover, West Melbourne is regarded as the stronghold of the party hostile to Mr. Berry's Ministry. Still, Sir *Bryan O'Loughlen* defeated Mr. Francis by a majority in the first election of ninety (90), and in the second election of one hundred and ten (110) votes.

(signed) *G. F. B.*

EXTRACT from a DESPATCH from the Governor of *Victoria*.

(No. 91.)

Government House, Melbourne,  
8 May 1878.

Sir,

1. ADVERTING to my Despatch, No. 79, of the 15th April ultimo, and to its enclosure, I have now the honour to report that on the 24th ultimo I addressed to my Ministers the additional memorandum here subjoined.

2. In reply to the above memorandum, and to that on the same subject forwarded with my Despatch, No. 79, Ministers have submitted to me a memorandum, of which I enclose a copy.

3. This memorandum is signed by Sir *Bryan O'Loughlen*, the Attorney General, on behalf of the Premier (Mr. Berry) and his other colleagues and States.

I have, &c.  
(signed) *G. F. Bowen*.

\* See Governor of Victoria to Secretary of State, No. 24, of 5 February 1878 (paragraph 8).

MEMORANDUM for His Excellency the Governor.

Ministers have carefully considered the Governor's Memorandums of the 11th and 24th of April, and note \* \* \*

For the Chief Secretary,  
6 May 1878.

(signed) *Bryan O'Loughlen.*

DRAFT REPORT proposed by Sir *William Harcourt* read the first and second time and agreed to.

*Ordered, To Report.*

EXPENSE OF COMMITTEE.

Telegram to Sir Bryan O'Loughlen, Melbourne - - - £. 31. 9. 4.

R E P O R T

FROM THE

SELECT COMMITTEE

ON

. CLARE COUNTY WRIT;

WITH THE

PROCEEDINGS OF THE COMMITTEE.

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*Ordered, by The House of Commons, to be Printed,  
8 August 1878.*

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343.

*Under 1 oz.*

R E P O R T

FROM THE

SELECT COMMITTEE

ON

PARLIAMENTARY AND MUNICIPAL  
ELECTIONS  
(HOURS OF POLLING);

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

AND APPENDIX.

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*Ordered by The House of Commons, to be Printed,*  
*30 July 1878.*

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*Ordered*,—[*Friday, 18th January 1878*]:—THAT a Select Committee be appointed to consider the question whether any and what alteration can, without inconvenience, be made in the Hours of Polling at Parliamentary and Municipal Elections in Boroughs, other than the Metropolitan Boroughs, so as to afford greater facilities to Electors desiring to record their votes.

Committee nominated—[*Tuesday, 2nd April 1878*]:—of—

Sir Henry Selwin-Ibbetson.	Mr. Marten.
Mr. William Edward Forster.	Mr. Barran.
Mr. Tennant.	Mr. Halsey.
Mr. Henry Samuelson.	Mr. Burt.
Sir William Cuningham.	Mr. Mills.
Dr. Cameron.	Mr. Moore.
Mr. Charles Lewis.	Mr. Isaac.
Mr. Cotes.	

*Ordered*,—THAT the Committee have power to send for Persons, Papers, and Records.  
THAT Five be the Quorum of the Committee.

*Ordered*,—[*Monday, 8th April 1878*]:—THAT the Committee do consist of Seventeen Members.

THAT Mr. Mundella and Mr. Charley be added to the Committee.

*Ordered*,—[*Monday, 15th April 1878*]:—THAT Sir Henry Selwin-Ibbetson be discharged from further attendance on the Committee.

THAT Sir Matthew White Ridley be added to the Committee.

*Ordered*,—[*Thursday, 23rd May 1878*]:—THAT the Report of the Committee of last Session, and the Evidence taken before it, be referred to the Committee now sitting.

*Ordered*,—[*Tuesday, 28th May 1878*]:—THAT Mr. Charley be discharged from further attendance on the Committee.

THAT Mr. Alfred Gathorne Hardy be added to the Committee.

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## R E P O R T.

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THE SELECT COMMITTEE appointed to consider the question whether any and what alteration can, without inconvenience, be made in the HOURS OF POLLING at PARLIAMENTARY and MUNICIPAL ELECTIONS in BOROUGHs, other than the METROPOLITAN BOROUGHs, so as to afford greater facilities to Electors desiring to record their Votes;—  
HAVE agreed to the following REPORT:—

YOUR Committee have examined a number of witnesses, and have considered the Report of the Parliamentary and Municipal Elections (Hours of Polling) Committee of last year, which has been referred to them. They have also received answers to questions submitted by them to the mayors or provosts of various Parliamentary boroughs.

It has been established to their satisfaction that in certain cases, owing to the large extent of the boundaries of the constituency, or to the local circumstances of trade, and the distance at which men work from their homes, artisans have been prevented from recording their votes, and have been put to inconvenience or pecuniary loss in order to record them.

Witnesses on this head have been able to suggest no other remedy than an extension of the hours of polling, and your Committee are not at present satisfied that there is any other method of meeting the difficulty.

On the other hand a considerable majority of those responsible for the maintenance of order, both witnesses examined *visd voce* and others, to whom a circular on the subject was sent by your Committee, are opposed to such extension.

Apart from official witnesses, the evidence given before your Committee was to the effect that an extension of the hours of polling would put an end to the practice which prevails in certain boroughs of celebrating election days as whole or partial holidays, and in this way would diminish the danger of disturbance and the amount of drunkenness.

Your Committee are clearly of opinion that it would be undesirable to extend the hours of polling in all Parliamentary and municipal boroughs, irrespective of local requirement, and in the absence of pressing necessity. Nor are they able to recommend any limit of population or area above which the extension should be fixed by Parliament.

A power has been given to returning officers in the case of school board elections to fix the hours of polling; but in the case of Parliamentary and municipal elections your Committee are not satisfied that it would be expedient to cast such a responsibility upon them.

The question, as it seems to them, does not press for immediate solution, and in the absence of any urgent necessity, and in the face of the objections which they have indicated, they would suggest it standing over until the time, not now a distant one, arrives for considering the continuance of the Ballot Act. By that time, also, there may have been experience of the extended hours in the metropolitan constituencies.

30 July 1878.

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## PROCEEDINGS OF THE COMMITTEE.

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*Thursday, 23rd May 1878.*

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### MEMBERS PRESENT :

Mr. Henry Samuelson. Mr. Halsey. Sir William Cuninghame. Dr. Cameron.		Mr. Barran. Mr. Isaac. Mr. Tennant.
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Sir MATTHEW WHITE RIDLEY was elected Chairman; (In his absence Mr. TENNANT was called to the Chair.)

The Committee deliberated.

[Adjourned till Monday next, at Twelve o'clock.]

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*Monday, 27th May 1878.*

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### MEMBERS PRESENT :

Sir MATTHEW WHITE RIDLEY in the Chair.

Mr. Burt. Dr. Cameron. Mr. Tennant. Mr. Barran. Mr. Henry Samuelson. Mr. Isaac.		Mr. Marten. Mr. Mundella. Sir William Cuninghame. Mr. Halsey. Mr. Charles Lewis.
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Mr. *Capel Augustus Curwood*, Mr. *Elihu Finnie*, and Captain *William Henderson* were severally examined.

[Adjourned till Thursday next, at Two o'clock.]

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*Thursday, 30th May 1878.*

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### MEMBERS PRESENT :

Sir MATTHEW WHITE RIDLEY in the Chair.

Mr. Barran. Mr. Burt. Dr. Cameron. Mr. Halsey. Mr. Alfred Gathorne Hardy. Mr. Isaac.		Mr. Marten. Mr. Mills. Mr. Mundella. Mr. Henry Samuelson. Mr. Tennant.
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Mr. *George Sellar*, Mr. *Alexander M'Call*, Mr. *Duncan Kennedy*, and Mr. *John Battersby*, were severally examined.

[Adjourned till Monday next, at half-past Twelve o'clock.]

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*Monday, 3rd June 1878.*

MEMBERS PRESENT:

Sir MATTHEW WHITE RIDLEY in the Chair.

Mr. Mills.	Mr. Henry Samuelson.
Mr. Halsey.	Mr. Barran.
Mr. Isaac.	Dr. Cameron.
Mr. Burt.	Mr. Alfred Gathorne Hardy.
Mr. Mundella.	Sir William Cuninghame.
Mr. Cotes.	

Mr. John Wilson, Mr. James Barber Turner, Mr. Joseph Mallinson, and Mr. John Jackson, were severally examined.

[Adjourned till Thursday the 20th June, at Twelve o'clock.

*Thursday, 20th June 1878.*

MEMBERS PRESENT:

Sir MATTHEW WHITE RIDLEY in the Chair.

Mr. Mills.	Mr. Henry Samuelson.
Mr. Halsey.	Mr. Burt.
Mr. Isaac.	Mr. Cotes.
Sir William Cuninghame.	Dr. Cameron.
Mr. Barran.	Mr. Tennant.

Mr. William Masters, Mr. Henry Joseph Hagger, Mr. James Fitzpatrick, and Mr. William Sharp, were severally examined.

The Committee deliberated.

Motion made, and Question, "That the inquiry be not extended to the case of Ireland"—(Dr. Cameron),—put, and agreed to.

[Adjourned till Thursday next, at Twelve o'clock.

*Thursday, 27th June 1878.*

MEMBERS PRESENT:

Sir MATTHEW WHITE RIDLEY in the Chair.

Mr. Halsey.	Mr. Cotes.
Mr. William Edward Forster.	Mr. Barran.
Mr. Isaac.	Dr. Cameron.
Sir William Cuninghame.	Mr. Mills.
Mr. Henry Samuelson.	Mr. Tennant.
Mr. Burt.	Mr. Alfred Gathorne Hardy.

Sir Joseph Heron, Mr. Edward B. Potts, Mr. John Hughes, Mr. Benjamin Wall, Mr. Thomas Glassey, and Mr. John Bryson, were severally examined.

[Adjourned to Thursday, the 11th July, at Two o'clock.

*Thursday, 11th July 1878.*

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MEMBERS PRESENT:

Sir MATTHEW WHITE RIDLEY in the Chair.

Mr. Alfred Gathorne Hardy.  
Mr. Barran.  
Mr. Burt.  
Dr. Cameron.  
Mr. Henry Samuelson.  
Mr. William Edward Forster.  
Mr. Isaac.

Mr. Halsey.  
Mr. Marten.  
Mr. Charles Lewis.  
Sir William Cuninghame.  
Mr. Tennant.  
Mr. Cotes.

The Committee deliberated.

Motion made, and Question, "That a representative from the Manchester and Salford Trades Council, and from the Manchester Working Men's Conservative Association be summoned from Manchester to give evidence on Tuesday next"—(Mr. Barran)—put, and *agreed to*.

Motion made, and Question, "That after the examination of the two witnesses from Manchester, no further evidence be taken"—(Mr. Forster)—put, and *agreed to*.

[Adjourned till Tuesday next, at Twelve o'clock.]

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*Tuesday, 16th July 1878.*

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MEMBERS PRESENT:

Sir MATTHEW WHITE RIDLEY in the Chair.

Mr. Mills.  
Mr. Halsey.  
Sir William Cuninghame.  
Mr. Isaac.  
Mr. Henry Samuelson.

Mr. Cotes.  
Mr. Burt.  
Dr. Cameron.  
Mr. Tennant.

Mr. James Speight and Mr. Peter Ball were examined.

[Adjourned till Tuesday, the 30th July, at Twelve o'clock.]

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*Tuesday, 30th July 1878.*

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MEMBERS PRESENT:

Sir MATTHEW WHITE RIDLEY in the Chair.

Mr. Burt.  
Dr. Cameron.  
Mr. Barran.  
Mr. William Edward Forster.  
Mr. Isaac.  
Mr. Alfred Gathorne Hardy.

Sir William Cuninghame.  
Mr. Halsey.  
Mr. Mills.  
Mr. Cotes.  
Mr. Henry Samuelson.  
Mr. Charles Lewis.

DRAFT REPORT proposed by the *Chairman*, read the first time, as follows:—

"1. Your Committee have examined various witnesses, and have also received answers to questions submitted by them to the mayors or provosts of various Parliamentary boroughs.

"2. It

"2. It has been established to their satisfaction that in certain cases, owing to the large extent of the boundaries of the constituency, or to the local circumstances of trade, and the distance at which men work from their homes, artisans have been prevented in some instances from recording their votes, and in others have been put to inconvenience or pecuniary loss in order to record them.

"3. Witnesses on this head have been able to suggest no other remedy than an extension of the hours of polling, and your Committee are not at present satisfied that there is any other method of meeting the difficulty.

"4. On the other hand a considerable majority of those responsible for the maintenance of order, both witnesses examined *vis à vis* and others, to whom a circular on the subject was sent by your Committee, are opposed to such extension. And your Committee feel that there exist also objections to it, based upon considerations of expense, risk of irregularities and personation, continued excitement, and similar dangers which are sufficiently obvious.

"5. Your Committee are clearly of opinion that it would be undesirable to extend the hours of polling in all Parliamentary and municipal boroughs, irrespective of local requirement, and in the absence of pressing necessity. Nor are they able to recommend any limit of population or area above which the extension should be fixed by Parliament.

"6. A power has been given to returning officers in the case of school board elections to fix the hours of polling; but in the case of Parliamentary and municipal elections your Committee are not satisfied that it would be expedient to cast such a responsibility upon them.

"7. Your Committee see considerable objections to entrusting such powers to town councils, fearing that such a course might introduce an element of political discord, which is much to be deprecated.

"8. The question, as it seems to them, does not press for immediate solution, and in the absence of any urgent necessity, and in the face of the objections which they have indicated, they would suggest it standing over until the time, not now a distant one, arrives for considering the continuance of the Ballot Act. By that time, also, there may have been experience of the extended hours in the metropolitan constituencies."

#### DRAFT REPORT proposed by Dr. Cameron, read the first time, as follows :

"1. Your Committee have examined a number of witnesses, and have considered the Report of the Parliamentary and Municipal Elections (Hours of Polling) Committee of last year, which has been referred to them.

"2. They find that precisely the same reasons which induced the Legislature to extend the hours of polling in the case of the metropolitan boroughs hold good in an equal degree in the case of the larger boroughs outside the metropolis.

"3. The same arguments as to increased expense, danger to the public peace, risk of personation, and so forth, which were urged by several official witnesses before the Committee of last year as a reason against an extension of the hours in the metropolis, were urged by some official witnesses against any extension in the case of the boroughs to which the inquiries of the present Committee referred.

"4. As to the increase of expense involved, your Committee believe that that would be comparatively trifling, and certainly not greater than in the case of the metropolitan boroughs. With respect to the apprehensions expressed of a risk of disturbance, personation, or corrupt practices, the official evidence on this point, which was necessarily theoretical and argumentative, was met by evidence from other officials of similar standing and equal experience, who considered such risk to be purely imaginary.

"5. Apart from official witnesses, the evidence given before your Committee was to the effect that an extension of the hours of polling would put an end to the practice which prevails in certain boroughs of celebrating election days as whole or partial holidays, and in this way would diminish the danger of disturbance and the amount of drunkenness. It was also argued that such an extension would do away with that temptation to employ vehicles for the conveyance of voters to the poll, which leads to the violation of the spirit of the law in this respect in so many boroughs.

"6. As regards the question of convenience, the evidence of those principally concerned in the demand for an extension of hours, the artisan classes in the larger boroughs, showed conclusively that under the present system they must in many cases submit to a loss of time, involving loss of wages, and sometimes loss of employment, or they must forego their right of voting at Parliamentary and municipal elections. Evidence to this effect was given by delegates from trades councils and other working men representatives (of whom your Committee examined a number of all shades of political opinion), without one dissentient voice.

" 7. There are exceptional cases among the smaller boroughs, in which, from some peculiarity of the local industries, or the large acreage embraced within the Parliamentary boundary, this grievance is strongly felt; but your Committee have not been able to make anything like an exhaustive investigation into this part of the subject, and they feel that without doing so it would be difficult to frame any recommendation which would meet every case.

" 8. There can be no doubt, however, that by far the greater part of the inconvenience complained of is experienced in the larger towns, and in these cases your Committee see no reason why that inconvenience should not at once be put an end to.

" 9. Your Committee, therefore, recommend that in all towns with a population of more than 100,000 the hours of polling at Parliamentary and municipal elections should be extended to 8 p.m., as in the metropolitan boroughs.

" 10. As in certain towns of this class it is alleged that the want of an extension of hours has not been felt, and that such an extension is undesirable, your Committee would allow to town councils in every case the right by a special resolution to retain the hours as at present. On the other hand, as in certain towns of smaller population the want of longer hours is complained of, town councils might, in the case of towns of less than 100,000 inhabitants, be empowered by special resolution to extend the hours of polling to 8 o'clock p.m.

" 11. If this were done, the wants of the various borough populations would soon find expression through their municipal representatives, while, where an extension of hours was not desired, or where in the case of large towns it was for any reason considered undesirable, the local authorities would have in their own hands the power of vetoing it.

" 12. It has been objected to such a proposal, that it would encourage the introduction of politics into municipal elections; but your Committee consider the question of the propriety of extending the hours of polling to be entirely a question of local convenience, and one which concerns municipal quite as much as Parliamentary representation."

MOTION MADE, and Question proposed, That the Draft Report, proposed by the Chairman, be now read a second time, paragraph by paragraph—(The Chairman):—

Amendment proposed, to leave out the words "The Chairman," in order to insert the words "Dr. Cameron,"—(Dr. Cameron) instead thereof:—

Question put, That the words "The Chairman" stand part of the Question.—The Committee divided:

Ayes, 5.	Noes, 6.
Mr. Alfred Gathorne Hardy.	Mr. Barran.
Mr. Isaac.	Mr. Burt.
Mr. Halsey.	Dr. Cameron.
Sir William Cuninghame.	Mr. Henry Samuelson.
Mr. Mills.	Mr. William Edward Foster.
	Mr. Cotes.

Words "Dr. Cameron" inserted.—Main Question, as amended, put, and *agreed to*.

Draft Report, proposed by Dr. Cameron, read a second time, paragraph by paragraph.

Paragraph 1, amended, and *agreed to*.

Paragraph 2, *disagreed to*.

Paragraph 3, amended.—Question put, That the paragraph, as amended, stand part the Report.—The Committee divided:

Ayes, 6.	Noes, 6.
Mr. Barran.	Mr. Alfred Gathorne Hardy.
Mr. Burt.	Mr. Isaac.
Dr. Cameron.	Mr. Halsey.
Mr. Henry Samuelson.	Mr. Charles Lewis.
Mr. William Edward Forster.	Sir William Cuninghame.
Mr. Cotes.	Mr. Mills.

Whereupon the Chairman declared himself with the *Noes*.

A new paragraph *inserted*.

Amendment proposed, That the following new paragraph be inserted in the Report:—*"On the other hand a considerable majority of those responsible for the maintenance of order, both witnesses examined *vivâ voce* and others, to whom a circular on the subject was sent by your Committee, are opposed to such extension. And your Committee feel that there exist also objections to it, based upon considerations of expense, risk of irregularities and personation, continued excitement, and similar dangers which are*

are sufficiently obvious"—(Mr. *Alfred Gathorne Hardy*).—Question proposed, That the paragraph be inserted in the Report :—

Amendment proposed, in line 1, to leave out the word "considerable"—(Dr. *Cameron*).

Question put, That the word "considerable" stand part of the proposed paragraph.—The Committee divided :

Ayes, 6.	Noes, 6.
Mr. Alfred Gathorne Hardy.	Mr. Barran.
Mr. Isaac.	Mr. Burt.
Mr. Halsey.	Dr. Cameron.
Mr. Charles Lewis.	Mr. Henry Samuelson.
Sir William Cuninghame.	Mr. William Edward Forster.
Mr. Mills.	Mr. Cotes.

Whereupon the Chairman declared himself with the *Ayes*.

Another Amendment proposed, to leave out from the word "extension," in line 3, to the end of the paragraph—(Dr. *Cameron*):—

Question put, That the words proposed to be left out stand part of the paragraph.—The Committee divided :

Ayes, 4.	Noes, 8.
Mr. Alfred Gathorne Hardy.	Mr. Barran.
Mr. Isaac.	Mr. Burt.
Mr. Halsey.	Dr. Cameron.
Sir William Cuninghame.	Mr. Henry Samuelson.
	Mr. William Edward Forster.
	Mr. Charles Lewis.
	Mr. Cotes.
	Mr. Mills.

Paragraph, as amended, inserted in the Report.

Paragraph 4.—Amendment proposed, in lines 1—3, to leave out the words, "As to the increase of expense involved, your Committee believe that that would be comparatively trifling, and certainly not greater than in the case of the metropolitan boroughs"—(Mr. *Alfred Gathorne Hardy*).—Question put, That the words proposed to be left out stand part of the paragraph.—The Committee divided :

Ayes, 6.	Noes, 6.
Mr. Barran.	Mr. Alfred Gathorne Hardy.
Mr. Burt.	Mr. Isaac.
Dr. Cameron.	Mr. Halsey.
Mr. Henry Samuelson.	Mr. Charles Lewis.
Mr. William Edward Forster.	Sir William Cuninghame.
Mr. Cotes.	Mr. Mills.

Whereupon the Chairman declared himself with the *Noes*.

Paragraph further amended.—Question put, That the paragraph, as amended, stand part of the Report.—The Committee divided :

Ayes, 6.	Noes, 6.
Mr. Barran.	Mr. Alfred Gathorne Hardy.
Mr. Burt.	Mr. Isaac.
Dr. Cameron.	Mr. Halsey.
Mr. Henry Samuelson.	Mr. Charles Lewis.
Mr. William Edward Forster.	Sir William Cuninghame.
Mr. Cotes.	Mr. Mills.

Whereupon the Chairman declared himself with the *Noes*.

Paragraph 5.—Amendment proposed, to leave out from the word "drunkenness," in line 4, to the end of the paragraph—(Mr. *Alfred Gathorne Hardy*).—Question put, That the words proposed to be left out stand part of the paragraph.—The Committee divided :

Ayes, 6.	Noes, 6.
Mr. Barran.	Mr. Alfred Gathorne Hardy.
Mr. Burt.	Mr. Isaac.
Dr. Cameron.	Mr. Halsey.
Mr. Henry Samuelson.	Mr. Charles Lewis.
Mr. William Edward Forster.	Sir William Cuninghame.
Mr. Cotes.	Mr. Mills.

Whereupon the Chairman declared himself with the *Noes*.—Paragraph, as amended, agreed to.



Paragraphs 6—7, *disagreed to*.

Paragraph 8.—Amendment proposed, at the beginning of the paragraph, to insert the word “While”—(Mr. *Henry Samuelson*).—Question put, That the word “While” be there inserted.—The Committee divided :

Ayes, 6.	Noes, 6.
Mr. Barran.	Mr. Alfred Gathorne Hardy.
Mr. Burt.	Mr. Isaac.
Dr. Cameron.	Mr. Halsey.
Mr. Henry Samuelson.	Mr. Charles Lewis.
Mr. William Edward Forster.	Sir William Cuninghame.
Mr. Cotes.	Mr. Mills.

Whereupon the Chairman declared himself with the *Noes* :—

Paragraph *disagreed to*.

Paragraph 9.—Question put, “That the paragraph stand part of the Report.”—The Committee divided :

Ayes, 6.	Noes, 6.
Mr. Barran.	Mr. Alfred Gathorne Hardy.
Mr. Burt.	Mr. Isaac.
Dr. Cameron.	Mr. Halsey.
Mr. Henry Samuelson.	Mr. Charles Lewis.
Mr. William Edward Forster.	Sir William Cuninghame.
Mr. Cotes.	Mr. Mills.

Whereupon the Chairman declared himself with the *Noes*.

Paragraph 10. — Question put, “That the paragraph stand part of the Report.”—The Committee divided :

Ayes, 6.	Noes, 6.
Mr. Barran.	Mr. Alfred Gathorne Hardy.
Mr. Burt.	Mr. Isaac.
Dr. Cameron.	Mr. Halsey.
Mr. Henry Samuelson.	Mr. Charles Lewis.
Mr. William Edward Forster.	Sir William Cuninghame.
Mr. Cotes.	Mr. Mills.

Whereupon the Chairman declared himself with the *Noes*.

Amendment proposed, That the following new paragraph be inserted in the Report :—  
“Your Committee are clearly of opinion that it would be undesirable to extend the hours of polling in all Parliamentary and municipal boroughs, irrespective of local requirement, and in the absence of pressing necessity. Nor are they able to recommend any limit of population or area above which the extension should be fixed by Parliament”—(The *Chairman*).

Question put, That the paragraph be inserted in the Report.—The Committee divided :

Ayes, 6.	Noes, 6.
Mr. Alfred Gathorne Hardy.	Mr. Barran.
Mr. Isaac.	Mr. Burt.
Mr. Halsey.	Dr. Cameron.
Mr. Charles Lewis.	Mr. Henry Samuelson.
Sir William Cuninghame.	Mr. William Edward Forster.
Mr. Mills.	Mr. Cotes.

Whereupon the Chairman declared himself with the *Ayes*.

Another new paragraph *inserted*.

Amendment proposed, That the following new paragraph be inserted in the Report :—  
“Your Committee see considerable objections to entrusting such powers to town councils, fearing that such a course might introduce an element of political discord, which is much to be deprecated”—(Mr. *Alfred Gathorne Hardy*).

Question put, That the paragraph be inserted in the Report.—The Committee divided :

Ayes, 5.	Noes, 7.
Mr. Alfred Gathorne Hardy.	Mr. Barran.
Mr. Isaac.	Mr. Burt.
Mr. Halsey.	Dr. Cameron.
Mr. Charles Lewis.	Mr. Henry Samuelson.
Mr. Mills.	Mr. William Edward Forster.
	Sir William Cuninghame.
	Mr. Cotes.

Amendment

Amendment proposed, That the following new paragraph be inserted in the Report:—  
 “The question, as it seems to them, does not press for immediate solution, and in the absence of any urgent necessity, and in the face of the objections which they have indicated, they would suggest in standing over until the time, not now a distant one, arrives for considering the continuance of the Ballot Act. By that time, also, there may have been experience of the extended hours in the metropolitan constituencies”—(The Chairman).

Question put, That the paragraph be inserted in the Report.—The Committee divided :

Ayes, 6.	Noes, 6.
Mr. Alfred Gathorne Hardy.	Mr. Barran.
Mr. Isaac.	Mr. Burt.
Mr. Halsey.	Dr. Cameron.
Mr. Charles Lewis.	Mr. Henry Samuelson.
Sir William Cuninghame.	Mr. William Edward Forster.
Mr. Mills.	Mr. Cotes.

Whereupon the Chairman declared himself with the *Ayes*.

Question put, “That this Report, as amended, be the Report of the Committee to the House.”—The Committee divided :

Ayes, 6.	Noes, 6.
Mr. Alfred Gathorne Hardy.	Mr. Barran.
Mr. Isaac.	Mr. Burt.
Mr. Halsey.	Dr. Cameron.
Mr. Charles Lewis.	Mr. Henry Samuelson.
Sir William Cuninghame.	Mr. William Edward Forster.
Mr. Mills.	Mr. Cotes.

Whereupon the Chairman declared himself with the *Ayes*.

*Ordered*, To Report, together with the Minutes of Evidence, and an Appendix.

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# MINUTES OF EVIDENCE.

*Monday, 27th May 1878.*

## MEMBERS PRESENT :

Mr. Barran.  
Mr. Burt.  
Dr. Cameron.  
Sir William Cuninghame.  
Mr. Halsey.  
Mr. Isaac.

Mr. Charles Lewis.  
Mr. Marten.  
Mr. Mundella.  
Sir Matthew White Ridley.  
Mr. Henry Samuelson.  
Mr. Tennant.

SIR MATTHEW WHITE RIDLEY, BART., IN THE CHAIR.

Mr. CAPEL AUGUSTUS CURWOOD, called in; and Examined.

*Chairman.*

1. I THINK you are at present Solicitor to the Great Eastern Railway Company?—I am.

2. You at one time were town clerk of Leeds?—Yes, up to December last; I was 11 years town clerk of Leeds.

3. You have also had experience in election matters as deputy returning officer for the Eastern Division of the West Riding?—Yes.

4. Therefore, one may say that you come before the Committee with considerable experience in election matters?—During the last 11 years hardly anybody has had more, considering the number of municipal and other elections that I have had.

5. In Leeds especially?—Yes, in Leeds especially.

6. You are aware, are you not, that the question which this Committee is appointed to discuss is the propriety or possible necessity of extending the hours of polling in the provinces generally, in manner similar to what is the case in the metropolis?—I am.

7. We would be glad to hear your opinion upon the subject; first, as to the necessity or the desirability, or in whatever order you think it convenient to take it?—I hardly know whether the Committee wish me to express an opinion upon the policy of it, or merely upon the practicability of it.

8. First, as to whether it is desirable; whether, in fact, certain voters are prevented from voting, by the hours of polling being as they are at present?—I think that in the large centres of the manufacturing population some considerable numbers are prevented from voting, on account of being unable to do so without sacrificing part

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*Chairman—continued.*

of their day's pay; I do not think that any advantage would be derived by extending the hours unless they were extended to eight o'clock in the evening, because very often they do not like coming to the poll without going home first. To give the right of voting in all its integrity to everybody, and save any ground of complaint if the hours are altered, I say let them be altered to eight o'clock at night; but the result of that would undoubtedly be to delay the publication of the poll in most cases until the following day, and certainly would increase the expense very much.

9. In what way do you think it would increase the expense very much?—Speaking from my own experience in Leeds we have managed, with very rare exceptions, to get through the polling and to declare the poll, both in the municipal elections and also in the Parliamentary elections, on the same day, and by that means we have been enabled to economise the staff we have used in the polling-places in ascertaining the poll; if you go into another day, you have to pay over again those engaged in the counting.

10. About what number do you employ?—I have had a staff of 300 in Leeds, but Leeds is an exceptionally difficult place to work; although it has only 300,000 inhabitants, and is not so large as Manchester, Birmingham, or Liverpool, the area (21,572 a. 1 r. 39 p.) is very much larger, for we have outlying stations; its circumference is 33 miles. We have to give a polling station for 150 voters in one place, and that state of things would not apply to more concentrated towns, such as Manchester, Liverpool, and Birmingham; each of those three towns,

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Mr.  
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Mr.  
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Chairman—continued.

although larger, is much easier to work than Leeds.

11. Do I understand you to mean that the increase of expense consequent upon extending the hours of polling would in Leeds be greater than at such places as you have mentioned?—Yes, but I doubt whether in Manchester, Liverpool, or Birmingham they would be able to get through in the same day, if they had 11 or 12 contested elections, as has been the case with me frequently in one day.

12. What number of polling-places have you in Leeds?—We have 33 stations when every ward is contested; and in working out the Ballot Act, I have put as many as 4,000 persons to vote in one station, for the purpose of economising.

13. Have you ever found that cause any inconvenience?—Not at all; I have given them separate tables, with two clerks to each table, and about 600 voters to each table. I economised it in that way, and saved a great deal of trouble, because there was only one ballot-box in the station, and that saved labour in checking the contents of the ballot-boxes, as you only had one presiding officer's account to deal with instead of four or five. I believe in Manchester and Liverpool they have separate stations, that is to say, a polling clerk, and a presiding officer, and clerks, and everything to every 500 voters.

14. But in your view, yours is the more economical?—Yes; I satisfied the Committee which was appointed at the instance of Sir Charles Dilke, that my plan was a feasible one, and we have never had a break down of any sort or kind.

15. Then I understand you to say that 300 clerks are employed at a Parliamentary election?—I should take the presiding officers and clerks at somewhere about 300; that would be the case at a Parliamentary election, and it would be the case at municipal elections where every ward is contested; I may say that in Leeds the wards are generally contested.

16. In your opinion then, if the hours of polling were extended, as you say they must be, in the evening to eight o'clock, you would have to employ those clerks over-time?—Yes; those clerks could not go on at night; they would not be fit to work longer; the poll opening at eight in the morning they would be knocked up, and if you wanted to declare the poll at night, you must either have a separate staff ready, or commence the next day with either the same staff or another staff.

17. What is the pay of a clerk?—We give the clerks 1*l.*, and 2*l.* to the presiding officers, and they complain very bitterly of the small fees which they get. They have to provide their own refreshments.

18. Have you no power to make an allowance for refreshments?—No, we have no power to do that.

19. With regard to declaring the poll the same night, would it be an objection to the extending of the hours, if it was not declared that night?—Looking at it from a returning officer's point of view, if he does his duty, and he is desirous of giving everybody interested all opportunity of seeing everything carried out in a strictly regular manner. I should say that the poll is better declared the following day, speaking as a returning officer, or as an officer having the

Chairman—continued.

control of the election, but the candidates and their agents object very much indeed to that. We have had extraordinary pressure put upon us, and with that view have worked far into the night in order to get it done, and I have always got it done. The register of voters in Leeds now is 49,545, last year it was 49,300.

20. What time in the day is there the greatest pressure of voters to vote; is it in the middle of the day?—In the middle of the day, at the dinner hour; in a place like Leeds it would be so.

21. In your experience as returning officer and town clerk of Leeds, have you reason to believe that any considerable number of persons are prevented voting by the limitation of the hours of polling?—Yes, I have no doubt of it, and I have no doubt that the complaints that you have heard are true.

22. Have those complaints been numerous?—Yes, it is looked upon as a grievance.

23. Do you think it is a reasonable grievance?—Yes, if the franchise is thought of importance, I quite agree that it is a reasonable grievance; in many cases it deprives the working classes no doubt of exercising their right to vote, but they could exercise it if they chose to sacrifice some of their time.

24. With regard to an extension early in the day, about which I observe a good many questions were asked by the Committee who sat last year, is it your opinion that any extension in the way of opening the poll earlier in the morning would be of any use to meet that difficulty?—It ought to answer the purpose, but the difficulty then would be in getting clerks at that hour to go to the out-stations in time; there is a difficulty now even at eight o'clock; some of my people would have to get up at half-past five to get to their stations at eight in the country districts, and it would be still more difficult in the counties. You see there is a danger to the ballot-box, and the ballot-box and the contents of the ballot-box have to be protected; they must lie about somewhere, and there is always a danger of the thing being tampered with, and the mark being ascertained, and so on, because if the ballot is to be carried out in its integrity, the stamp and everything must be thoroughly protected before it is used, and it must be equally protected after it has been used from being tampered with in any way.

25. I can understand the difficulty of getting your clerks to get up early in the morning to arrive in time to open, we will say, at six o'clock, but where does the difficulty lie in tampering with the ballot-box to which you have alluded?—First you have to entrust the presiding officer when he starts, with all the paraphernalia, including the official mark, and when is he to come for it? Is he to come for it at four o'clock in the morning, or is he to be entrusted with it to take it to his house the night before; I say all that involves extra risk.

26. Supposing that risk to be got over, would the opening of the poll earlier in the morning enable voters in Leeds with whom you are acquainted to give their votes?—Certainly, because then it would be their own fault if they did not choose to put themselves to the inconvenience of early rising, and they would lose their vote.

27. Supposing that objection were taken to the

*Chairman—continued.*

the poll being open very late at night; that is to say, to the extension taking place at the end of the polling, when the excitement is generally greater perhaps than it is earlier in the day, you think that would enable the voters in the districts in Leeds to give their votes in the morning?—Yes, most decidedly; it is merely a question of personal inconvenience to the voter or not; that is to say, he could vote then without any loss of earning.

28. But the demands which you have heard expressed for the extension of the hours of polling have generally taken the form, have they not, of an extension in the afternoon?—I have never heard the earlier hours suggested by those complaining about it; it has always been in the afternoon.

29. I gather that it is your opinion that the extension in the evening is the most desirable, for the reasons you have stated?—Yes, I think it would be the best plan, and then where it is not practicable to declare the poll that evening, to declare it the next day; but that would entail greater expense.

30. Would it entail any other expense beyond that which you have mentioned, namely, the cost of clerks?—No; the hire of the polling stations would be the same; the police expenses might be more, but it would not be much. People on duty for so many hours must have some money given to them to get refreshments, or refreshments must be provided.

31. With regard to the practicability, do you see any objection to keeping the poll open later than it is, upon any grounds of extra excitement, or keeping it open in the hours of darkness, and so on, in Leeds?—I have had to deal with such orderly people in Leeds, and in that part of the country people are so well-behaved, that I should have no hesitation in saying that there would be no danger; but really the Leeds people are exceptionally sensible upon those occasions; they behave themselves remarkably well, but from what I have heard of in other places, especially in the counties, there would be some difficulty in getting your ballot boxes in the middle of the night across the country; but I have had no actual experience of such difficulty.

32. We are speaking now generally of the population of Leeds, and you say that, from your experience of Leeds, there would be no difficulty whatever on that score?—In Leeds, certainly not; in Liverpool I should be a little more doubtful. I have had some experience of that in Liverpool, and I should hesitate to give the same opinion about Liverpool.

33. Will you tell us what your experience has been in Liverpool?—I was deputy and acting town clerk there, but that was before the ballot. The Ballot Act came into operation when I was in Leeds, but I know a good deal of that sort of population in Liverpool. I was the adviser of the police when I was there, and therefore I had some means of judging. You see the Irish element is very strong indeed in Liverpool, and they are very liable to get very excited in an election.

34. So far as your experience with regard to Liverpool goes, which I understand was previous to the passing of the Ballot Act, it would not be favourable to an extension of the hours, on the ground that it would lead to disorder?—You would require to take extra precautions. No

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*Chairman—continued.*

doubt you could manage it very well in Liverpool, but it would require extra precautions, and involve extra expense.

35. With regard to the number of persons, could you form any idea of the extent of the disfranchisement which you spoke of as practically taking place in voters being prevented from voting?—No, I could not; I have no data to go upon. It has been a general complaint, not a specific one.

26. Most of the votes are given at the dinner hour at Leeds, are they not?—The pressure is at the dinner hour.

37. Has it been found that many voters have been unable to give their votes in consequence of the crowds at the polling booths, and having to go back to their work without giving their votes?—That we cannot tell. When they have gone away they have complained that they have not been able to vote, but we have no means of checking that; we could not tell who was a voter or not until he got inside.

38. Have you not heard afterwards that men have complained, saying that they have had to go back to their work without voting?—I have heard such complaints, but they are of a very general character. But there is no doubt that a great many people cannot vote for want of accommodation in the booth, or they abstain from voting because they anticipate a difficulty about it.

39. Do you see in general any objections to extending the hours of polling in large boroughs such as Leeds, of which you have personal experience, which would counterbalance the advantages beyond what you have mentioned?—It amounts to a matter of extra trouble and expense, that is all; there is no impracticability about it at all.

40. In Leeds you are distinctly of opinion that it would not either encourage or promote rioting and extra excitement; would it give any further occasion for bribery, or anything of that kind?—No, I should think not. I would undertake the management of the Leeds elections if the hours were extended, with just the same means as I have done, except that I should have to spend more money than I have heretofore done.

41. In the case of Leeds, the extra expense would amount to about 300 l.?—Yes, about 300 l.

42. The number of voters, I think you told the Committee, is about 50,000?—Just about 50,000.

*Mr. Henry Samuelson.*

43. Your chief objection to the extension of the hours, you said, was with regard to the expense?—The chief reason; I did not call it an objection.

44. You pay your clerks now, I think you said, for their work, from eight to four, a sovereign?—Yes.

45. Then what do you pay them for counting afterwards?—Sometimes we include the counting in that; we often got them to do the counting too, but not always.

46. But when you do not, what do you pay them?—Then I should have to give them another sovereign.

47. Do not you think you could get one set of clerks from eight to eight for one sovereign, and then get another set of clerks to come on fresh for another sovereign?—I think, at Leeds, you would;

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Mr. Henry Samuelson—continued.

would; because the people take a great interest in elections, and the people do not care so much about a day; but in other places I do not think you would.

48. Not by fresh relays?—It is very difficult; because it is to be well done, you must have trustworthy people; and when a man has got experienced in it, he is worth two men who have none.

49. Do the men generally get through the counting up of the votes in Manchester, Liverpool, Birmingham, and other great boroughs like that in one day?—I do not know from my own experience; I have not had any experience of those places since the ballot has been in operation.

50. Do you think that delaying the declaration of the poll would have any tendency to keep up the excitement in the borough?—Yes.

51. And for that reason the sooner you can declare the poll the better for the quietude of the place?—No doubt.

52. You think, do you not, that extending the hours would greatly tend to relieve the pressure which occurs in the middle of the day at the polling booth?—Yes, it would.

53. You stated that many people could only exercise their rights at present by sacrificing their time; but it would involve sacrificing, in many cases, more than time, namely, money?—I meant their wage; by sacrificing a part of their wage they could vote.

54. What are the general hours of work at Leeds?—I should think generally from six in the morning to six in the evening, but you have a gentleman on this Committee who can tell you better than I can. Sometimes they work till half-past six, and sometimes they work overtime.

55. You said you thought it would be difficult to get the people together at the booth early enough in the morning, but that that was the only inconvenience; but we had on the Committee which sat last year to consider the extension of the hours in the metropolis, evidence tending to show that there were certain trades which could hardly come to the poll very early in the morning; for example, the building trades go to work very early, so that really if you were to open the poll at seven, they would not be able to go?—Seven would not do, but six would do.

56. For the building trade we were told that that would be too late, as they go to work even earlier than that?—I am not acquainted with that, and therefore cannot give an opinion.

57. Is there a very large number of builders employed in Leeds?—For the size of the place the building trade is very fairly represented.

58. Do those people live very much outside the borough, and work in it?—Yes; the borough itself is very large, it is 27 or 30 miles in circumference, or something like that.

59. Do they go to work in the morning by train like they do in London?—I should think not, but I cannot tell.

60. With regard to the danger which you said you might possibly anticipate from the extension of hours in Liverpool, that would be a good deal modified, would it not, by the fact that the ballot is now in use there?—Everything is very much better under the ballot than it was under the old system.

Mr. Henry Samuelson—continued.

61. You mean better than under open polling? Yes; there is not a shadow of a doubt about it. Where danger of a row was anticipated, it would be easily met by proper precautions being taken, by putting extra police on to protect the presiding officer and his box.

62. Colonel Henderson told the Committee in his evidence last year that he understood that there were nearly one-third the number of voters shut out in the metropolis, in consequence of the early hour of closing the poll; what do you think the proportion would be at Leeds?—I have no means of knowing; I cannot carry it further than that there is a general complaint that it is a hardship upon the working classes that many of them cannot vote, without sacrificing time and wages.

63. What are the hours of voting at school board elections in Leeds?—In Leeds we have held the school board elections at the usual time, from nine till four; but in a contested school board election it is impossible to declare the result of the poll on the same day; the votes have to be tabulated, and where you have such a complication of voting you cannot possibly count the papers; you must tabulate them, and it takes a whole day to do.

64. Do you think it is equally practicable to take the poll in the evening, by gas light as by day light?—Yes; we have to do it in Leeds in the municipal elections, which take place in November.

65. Would the fact that a great part of the work is carried on by gas light greatly increase the cost?—No.

66. I suppose that now the counting is carried on by gas light?—Always; and there is no difficulty at all about it.

Mr. Barran.

67. You say that the expense of an election would be considerably increased in consequence of the large number of clerks that you would require for counting up; you employ 300 clerks at each election; how many would you employ for counting up?—That would depend upon the class of papers that had to be counted, that is to say, when there were fewer candidates there would be a less number required.

68. Speaking now of a general election, or a general municipal election, what would the number be?—A Parliamentary election is all held in one room, under one presiding officer, so that there would not be so many presiding officers.

69. But how many clerks do you require?—I should take, if I only had the counting and sorting, 60 or 70 clerks, because you would get it done much quicker.

70. That would be one-fifth the number employed on the polling day?—Yes.

71. And the same would apply to the municipal elections?—No; because there we require to have them in separate rooms; we have, in a sense, a separate staff, and it takes more men.

72. What would be the number required for counting up the votes?—That depends upon the extent of the wards. Sometimes, where there are two members to be elected, and there are five candidates; you have cross voting, and it requires a much longer time to sort the papers, and then they have to be counted and checked.

73. Are those papers not counted by the representatives of the candidates?—Yes, but we do not trust them in their hands until we have done it, because



Mr. *Barran*—continued.

because it would be open to the suspicion that they have been tampered with; we never let the candidate or his agent touch the papers until the officials have done with them.

74. Have you any idea of the number of clerks generally employed on the 1st of November in counting up the votes?—I take the same number, 300 or over; I have done the whole thing with those 300 clerks.

75. Is that in consequence of your having engaged them for the purpose of the polling booths, not because you needed them for the purpose of counting the votes?—I have made a bargain with them that they should come there and do all the work.

76. Are they absolutely needed for the purpose of counting up the votes?—Not all of them.

77. Would one-half of them do?—Less than half.

78. As to the inconvenience to the working classes leaving their work to go to vote, which has been explained by you to some extent, will you tell me whether or not a large number of voters in Leeds who work at one end of the town, live at the other?—No doubt that is so.

79. And whose time would be very considerably sacrificed in their having to cross the greater part of the borough for the purpose of recording their votes?—Yes, no doubt; that is why I say eight o'clock would be desirable.

80. Is it not the fact that there are a large number of clerks and warehousemen who live in the suburbs of the borough, and who have to go to business early in the morning, and who would have to leave town to go out to the suburbs to record their vote?—Yes, that is so.

Mr. *Tennant*.

81. They would record their votes where they live, would they not?—Yes; but we are supposing that they come into the centre of the town to the warehouses and banks, and so on, and they have to be at their place of business before the poll is opened.

82. Still they would record their vote in the place where they live?—They would have to go back there to do it; there is no other means without that.

83. Do you think that that is the fact to any great extent in Leeds?—I should think to a considerable extent it is.

84. You think that practically a great number are unable to record their votes?—I rather place it upon the working population than upon the clerks, although it would affect the clerks in the way suggested, to a considerable extent.

85. Do those particular working classes to which you refer, not go home to their meals, as a rule, in the middle of the day?—Yes; and it is in the dinner hour at present that the booths are so crowded.

86. Are the booths so crowded at that time of the day that they cannot record their votes?—Very often there is a very great pressure, but I expect that a great many abstain from going because of the belief that they cannot get in, although we have taken every possible precaution, and have given every assistance in our power.

87. Could not that to a great extent be remedied by having more polling booths?—If you have more polling booths you considerably increase the expense, and you considerably in-

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Mr. *Tennant*—continued.

crease the difficulty of counting the votes, because every station, as I have explained to the Committee, has to be separately dealt with before it is dealt with in the aggregate, and that creates great delay. Then every station requires a presiding officer, who is a person of superior position, most likely a solicitor, to whom you have to give two guineas; so that it amounts up.

88. Would not the expense be greater, do you think, in keeping open the hours of polling so very much longer than they are now; you do not expect the same staff to work throughout the entire day, do you?—I should; that is what I have done. We have 12 wards in Leeds, many of them containing a considerably greater number of voters than many boroughs; I have had 11 contested elections in one day, and I have always got done by 12 o'clock.

89. Supposing that the returning officer began at six o'clock in the morning and went on till eight o'clock at night, what would you say?—Then I think he would require extra remuneration.

90. Do you think he would do it?—Yes, but as I say, I think it would involve extra expense; you cannot do it any way without extra expense.

91. Would there be more expense in multiplying the polling booths?—Yes, there is a very great difficulty in splitting up the polling places more than we do; it creates a great practical difficulty in working out the elections.

Mr. *Burt*.

92. Would beginning the voting at six o'clock in the morning enable the working people to vote?—I should have thought so, but I am told that persons engaged in the building trades go to their work and commence their work at six o'clock, but you can get a very competent opinion upon that point from the honourable Member for Leeds; I really do not know exactly what time the various trades begin the manufacturers, I believe, begin at six o'clock, but it is a thing which my attention has never been called to, and I am not qualified to state from experience.

93. Have you ever heard people sometimes complain about the present limitation of hours, and express a wish for an earlier opening of the poll?—No, it has never been suggested to me that it would be advisable to commence earlier, but it has been many times suggested that the poll should be extended later, and they say that if it is to be extended later, it is of no use extending it unless you extend it to eight o'clock, because the object of extending it is to give everybody who has a vote a reasonable opportunity of exercising it, and you would still have complaints if you extended it up to six o'clock in the morning.

94. As a matter of fact, it would involve considerable inconvenience to the working people, inasmuch as they would have to get up very much earlier in the morning, if the poll was open at six o'clock?—If the franchise is worth having they must put themselves to some inconvenience to exercise it, as everybody has to do that more or less; but that is a matter upon which I cannot give an opinion; it certainly would involve them in great inconvenience, but it would save them the loss of actual money by not interfering with their work.

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95. Do you see any difficulties in extending the hours over and above those which you have mentioned; that is to say the difficulty of declaring the poll and the extra expense?—Not the slightest; I would undertake to work it with the same facility that I have worked them, if we had the extended hours, barring the mere question of expense.

96. You do not anticipate any difficulties arising from disorder or riot?—No; I have already said that, so far as Leeds is concerned, I do not think it is at all probable.

Mr. Halsey.

97. I understood you to say that in counting the votes you take 60 or 70 clerks?—Yes, I said so with regard to a particular election.

98. Leeds sends three Members to Parliament; therefore, at a general election, you think that 60 or 70 clerks would not do?—I should have 150 then. You see there are 15 combinations. Supposing you have six candidates to be elected, and the cumulative vote, you will find that the combination is enormous. My plan has been to have our papers recorded in columns, a certain number of columns in each sheet, and two clerks, one to call and another to write, and when the sheet is filled, the man who has called over takes the sheet, and the other man takes the papers, and they check it in that way. Then the papers are put up in the sheet, so that the agents may check them in any way before recording the votes.

Sir William Cuninghame.

99. Would there be the same objection to increased expenditure if the poll was opened earlier in the morning?—Yes, I think there would; you would have to pay those men extra for going to the station earlier, for it is a long day from six o'clock in the morning.

100. To the same extent would the expense be increased, in your opinion, as if the hours were extended at the close of the day?—I think, perhaps, it would be the cheaper of the two to open in the morning, but I do not think that it would give anything like the same satisfaction as having it open in the evening.

101. Your opinion does not go beyond considering the opening in the morning not absolutely impracticable from the point of view of the returning officer?—No, it is not at all impracticable.

102. But with regard to other people, which do you think would be the best of the two?—I think if it is desirable that a change should be made, so as to give the greatest satisfaction to the greatest number, you should cause the poll to be open until eight in the evening.

103. Who pays the expense if it be increased by any change in this arrangement?—The cost of all municipal elections are borne by the rate-payers; the cost of Parliamentary elections, as honourable Members most likely know, are borne by the candidates.

104. Is it not the case that a greater number of voters probably are prevented recording their votes at municipal elections than at Parliamentary elections?—The same difficulty exists in both.

105. As a matter of fact, is it not the case that there are a greater number who abstain from voting at municipal than at Parliamentary elec-

Sir William Cuninghame—continued.

tions?—Not in Leeds; local matters are looked quite as sharply after there as Imperial matters; in fact, it is the training school for the Imperial fights.

106. Are the employers of labour, as a general rule, anxious to afford facilities to their workmen to vote?—That I cannot tell. I have no means whatever of knowing.

Mr. Marten.

107. As I understand you, the complaint which you have received as to persons not being able to vote is this, that they do not think it worth while to exercise their franchise at the expense of the loss of a proportional part of their wage?—Yes; and as I expressed before, there would be no difficulty whatever within the existing hours if they were willing to sacrifice a very small portion of their day's wage.

108. Then any difficulty arising from persons not being able to give their votes during their dinner hour would be remedied by increasing the number of officers in charge of the polling stations during the dinner hour?—You cannot do that, because you cannot extend the polling-booth itself; you cannot extend the machinery within the polling-booth; there must be so many at a table.

109. Supposing that under the existing law you had to make provision for those votes being taken between eight and four, and supposing that you were aware that in a particular polling district you would receive from working men application to vote during the dinner hour amounting to so many, must you not in making preparation for the accommodation of the voters, make preparation for the maximum number of persons that you are likely to receive during the dinner hour?—So we do to the best of our ability; but even then there is a rush.

110. Therefore, to the best of your ability, you always make provision that all persons coming during the dinner hour shall be able to vote, without being kept waiting an undue amount of time?—Undoubtedly we do.

111. Therefore as regards the persons who would vote if they could during the dinner hour, your arrangements up to the present time have always been such as to the best of your ability, will allow them to vote without affording them a ground for complaint?—If the dinner hour could be equally divided amongst everybody who wanted to vote during that hour, we could manage it; but you see that they go and get their dinner, and then they leave a quarter of an hour to go and vote, and then a crowd comes and we cannot receive them.

112. Do you as a matter of fact make preparations to receive the maximum number who are likely to present themselves at any one period in the day?—In the wards where the workpeople have to vote, and which are most densely populated, we give as much accommodation as possible by giving more tables and more clerks in the booth, but that is limited. Then if everybody who wanted to vote in the dinner hour would come to the booth at 12 o'clock and wait patiently till one or whatever the hour is, they would all get taken in their turns, but they do not do so; they come at the last quarter of an hour, just before going to work, after having gone home to their dinner, and they squeeze in, and you cannot get

Mr. Marten—continued.

get their votes taken, and then they go away back to their work without having voted.

113. If those persons complain, they really complain because efficient accommodation has not been provided within the existing hours?—No; we give the very best accommodation that we can, but we cannot make provision for 300 or 400 people to vote in a quarter of an hour.

114. You could make that provision, I presume, if you knew beforehand that 300 or 400 persons would present themselves in a quarter of an hour on the particular day?—It would be difficult and very costly. You would have to supplement your existing arrangements.

115. Would it be practicable to make special arrangements for extra assistance during a portion of the day?—No, there is no room for them; it cannot be done. There are a certain number allotted out, and the whole thing has to be arranged beforehand. The registers have to be cut and lettered and so on, and the tables marked, and no more than two clerks can be engaged in taking a vote. You would get into a great state of confusion if you were to extend it further.

116. Supposing the case of an election taking place in the winter time, and that the hours of election were extended from 4 o'clock until 8 o'clock, would there be, in your opinion, any risk in a time of great public excitement, such as a Parliamentary election, or in a time of great local excitement, like a municipal election, of a disturbance of the peace, or persons abstaining from voting with a view to leaving themselves open to undue influence or bribery?—The longer the election is hanging about, no doubt the greater opportunity for malpractices; that may be taken as a certain proposition; and in a time of great excitement, the longer the time, and the later the hour at which business is to be done, the more liability there is to influence. These are two self-evident propositions. Whether it would have any practical bearing or not, of course, one cannot tell.

117. Take the case of the last general election which occurred in the beginning of February. I think at that time there was a moon; supposing the case of there being no moon in the long dark nights, would not there be very considerable extra risk of some disturbance of the public peace or of bribery and corruption?—There would be a very great opportunity for bribery, but the risk that I should be afraid of in the dark nights would not affect the towns, if you take a large town like Leeds, but it might materially affect the safety of the ballot-boxes coming in from outlying districts. It would be open to that risk certainly, and I say the difficulty is in securing the ballot-box with all its fittings before it is used, so that the mark should be kept secret, and also in securing its safe return to the returning officer from the particular booth. If it is late at night, and long distances in the country, and no trains, and they are obliged to depend upon any conveyance that can be obtained, and possibly none can be obtained, they would have to carry it even three or four miles, and, of course, the risk would be greater.

118. I understood you to say that, at Leeds, under the School Board regulations, they have not thought fit to extend the hours from four in the afternoon?—No, to the best of my belief, and I conducted all the School Board elections; we closed at four o'clock.

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Mr. Marten—continued.

119. Are you not aware that, under the regulations of the Lords of the Committee of the Privy Council of the 3rd of October 1873, by virtue of the powers vested in them under the Elementary Education Acts of 1870 and 1873, this discretion was given: "The poll shall commence at such an hour not earlier than 8 a.m., and close at such an hour not later than 8 p.m., as shall be fixed by the returning officer, but the poll shall be open for seven hours, and no longer"?—Yes. Practically it was my doing. I did not avail myself of that. The School Board elections are very troublesome.

120. I presume that there are two political parties at Leeds?—Yes, and more.

121. Did both parties at Leeds concur in agreeing that the School Board hours should not be later than four in the afternoon?—I think I managed so that, practically, they did agree. I had no pressure put upon me, and I was not anxious to make it more laborious than was necessary.

122. Have you had any representation made to you that persons could not exercise their vote on that account?—No.

123. You are aware that you had the option of making the hours from 12 till 7, or from 1 till 8?—Yes; I protected myself by getting the opinion of the representatives of the parties, but then the School Board election is nothing to be compared to a municipal or Parliamentary election. The School Board election is more divided amongst the religious sects than amongst political people.

124. And the working men do not take so much interest in them?—I think they do not care so much about it.

125. Your experience is, that the School Board election does not lie so much amongst working men as a municipal or a Parliamentary election?—Nothing like it.

126. Supposing that power was given to the Town Council of Leeds, or that the local authority, having power to divide the borough into polling districts, should have power to vary the hours of polling, supposing the hours might be at any time between six in the morning and eight in the evening, any eight hours, do you suppose that it would be an advantage to enable all Parliamentary boroughs to make arrangements in the same way?—I am sure that the people of Leeds would exercise it up to eight in the evening at once; without the slightest hesitation they would do it.

127. As you have had considerable experience with regard to local government, do you think, as regards political matters, it would be safe, therefore, for the local authorities who have the power to divide the borough into polling districts, to settle what the hour should be?—I should very much regret it if that was the case.

128. You think that that should be settled by Parliament?—Yes; I do not believe in the local authorities having any direction as to the time that the franchise should be exercised.

129. You would not give them a discretion corresponding to the discretion given under the School Board election regulations, either for municipal or Parliamentary purposes?—No; I would keep them as free from all danger of exercising it for party purposes as possible.

130. Does your experience extend to smaller towns than Leeds?—No.

131. Can you speak with regard to other great centres?

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centres?—I have had no experience; but I can easily see how it would work. It is only a question of degree.

Mr. Isaac.

132. You have about 50,000 electors on your register; have you any idea how many of those poll at a Parliamentary election?—No; it is recorded, although I do not know it; but that is information which the Committee can easily obtain.

133. Have you any idea of the proportion that they would be?—I should be afraid to say from the many; there have been so many elections that I might be muddling up the one with the other; but it is a matter which can be easily given to the Committee from authentic sources.

134. There is a great difference between the Parliamentary and the municipal registers, is there not?—No, they are very nearly the same; there are lodgers in the one case, and women in the other. We have no freemen, which makes a great difference. In Liverpool there is a long list of freemen, but upon the Parliamentary register there are lodgers. There are very few lodgers in Leeds on the register. In the municipal elections you have ladies, but there are not a very great many of them, so that it is practically very much the same. There are a little more on the municipal list than upon the Parliamentary.

135. Would not it facilitate the number that could poll in the large wards if, for the working men generally who live in the same localities, you had polling-booths at two ends of the wards, instead of having one large polling-booth in the ward?—I have done that; I have given them facilities whenever I could. We split them up as far as practicable. In a big place like Leeds one-half the people would not be able to vote if you did not.

136. You are giving us only your experience of Leeds. I suppose you would have no idea of what would take place in a borough like Nottingham, which I represent?—No; but there you have a much smaller area, and you have a much smaller constituency.

137. So that your opinion as regards the existing hours of polling would only go to a place like Leeds, of which you have great experience?—Personally, I cannot say anything about other places.

138. What would suit Leeds perhaps would not suit smaller boroughs?—No, I would put it the other way; what would suit smaller boroughs would not suit Leeds. Anything that would suit Leeds might suit a smaller place, because the major would include the minor.

139. You say that Leeds is a very quiet and orderly place, and not likely under any circumstances to have any disturbance either at Parliamentary or municipal elections?—That is my experience.

140. I suppose you are aware that in other places, even with the polling-booth open till 4 o'clock, there are generally disturbances?—I have heard of disturbances, but I think if I had the management of the election I should soon put a stop to them. On those occasions the police have always been placed at my disposal. I have been very efficiently aided by the chief constable, who has always followed my instructions, and been very efficient in carrying them

Mr. Isaac—continued.

out; but I must say that we have never had, with the exception of calling them in in cases of personation two or three times, occasion to call in the services of policemen.

141. What I am anxious to arrive at is to have on record your opinion, not only as regards Leeds, but taking your experience of Leeds and the knowledge which you have by reading of other elections, whether you consider that in those places where those riots now occur, the facilities would not be very much increased by extending the hour from four to eight o'clock at night?—There is no doubt that the more time that is given the later the hour if rioting is rampant it would be facilitated by such late hour, and more difficult possibly to suppress it.

142. The postponement of the declaration of the poll would add very much, would it not, to the excitement and to the facilities of disturbance?—It would keep people unsettled outside no doubt, but I think it would be much more satisfactory to the returning officer to begin the work of counting on the following day; but it would no doubt keep the town in a state of excitement.

143. You said that you have heard some complaints from the electors of Leeds about closing the poll so early: can you give the Committee any idea of how many; were the complaints in large numbers or only in small numbers?—They were not so much individual complaints as complaints from the representatives of the parties; no doubt you will have some of those persons before you. A deputation of electors has never waited on the Mayor complaining that they were unable to vote. I have no tangible means of saying.

144. The complaints that have reached you are simply complaints probably of the representatives of certain parties?—The representatives of large parties of people who are interested in the elections. I know everybody in Leeds, and from what happens in communication with them about the elections I am decidedly of opinion that the general feeling is that the franchise cannot be exercised by all the working classes, unless they are willing to give up part of their wage or go without a dinner.

145. You have no reason to suppose that men who will not go to the poll now during dinner-time would go and vote if the poll was kept open until a later hour?—Of those who cannot poll because of the limited time, I think nine out of ten would vote in the evening.

146. Provided that what they generally wait for is given to them, would not it lead to an increase of bribery?—I am not behind the scenes. I do not know; it is a long time since I was an election agent.

147. You do not think that the increase of the number of polling stations would give the facilities which working people would require?—No, I do not, indeed; and it would add materially to cost, and the complication and difficulty of conducting elections.

Chairman.

148. Would not this difficulty arise with regard to the late hours. I understand you to say that in the dinner hour a great number of persons present themselves during one quarter of an hour; how far would that be the case at the extreme end of the poll; would not it be the case, the

*Chairman—continued.*

the habits of the working classes being in the main very much the same, that they would all go home and change their clothes, and you might have at the last half-hour of the poll a greater pressure of voters than you could accommodate?—I do not think that would arise to a great extent; there are always some people who will be hanging back; but then, at all events, there would be no ground of complaint.

149. Speaking generally, I understand you to say it is a truism that the shorter the time of polling, provided the persons who have votes exercise the franchise, the better for the sake both of peace and order, and everything else?—No doubt.

150. But in the case of Leeds you are clearly of opinion, where such an opportunity for voting is not afforded, that it would be afforded by an extension to eight o'clock without danger to the peace?—Yes, and there is no practical difficulty in working it out; it is only a question of expense.

151. If there were the opportunity for voting which undoubtedly there ought to be, you think it much better that the poll should close at four o'clock, or as early as possible, provided persons are not excluded?—We always find people hanging back till four o'clock, who have lots of opportunity for voting. I have always shut the door exactly as the clock struck, and if they have got into the room I have not taken their votes if the clock has struck, and, of course, the ballot-box is closed.

152. In the School Board election in Leeds, affairs seem to be in the most peculiarly happy position, for I understand you that the religious sects appear to be animated by the most friendly feeling towards each other?—I did not say that, exactly; what I said was that it was more a question amongst the religious sects than amongst the political sects. They are not so numerous, they are not so organised for fighting as the political parties.

153. And their intensity of feeling does not make up for the paucity of numbers?—No; they were always very good to me.

154. It rather struck me what you said about the hours of the School Board elections being from nine to four, that there was no complaint amongst the working classes that they had not the power to vote?—If there had been a strong representation to me as the mouthpiece of the mayor, I should not have dared to have advised the mayor not to pay attention to it; but you must not for a moment compare a School Board election with a Parliamentary or a municipal election. There is a different tone about them, and different motives, and different feelings, at least, that is my experience of Leeds.

*Mr. Henry Samuelson.*

155. You come here as an expert to give evidence with regard to Leeds, but you do not pretend, of course, that your evidence is of any very great weight as to places of which you say you yourself have no knowledge?—You must take my evidence for what it is worth.

156. The honourable Member for Leeds asked you whether more polling booths would not give greater facilities for voting; but I want to know how additional polling-booths would make up for the want of time that the men suffer from in having to go home so great a distance to vote?—

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*Mr. Henry Samuelson—continued.*

You might so multiply them if you could get the buildings, or if you could not get the buildings you would have to put up temporary erections, which would be very costly. The only thing that the extra polling-booths would do would be to enable you to get the votes counted and taken more quickly; but the people must go to the same place, as they cannot vote out of their wards.

157. In point of fact, do men who are employed a long way from their homes go home in the dinner hour, or do they take it with them and eat it at their place of work?—That is more than I can tell you.

158. If the poll were opened at six o'clock in the morning, in winter, it would practically be as dark, would it not, as at eight o'clock in the evening?—Yes.

159. And there would be the same facilities, if darkness does give facilities, for bribery, at six o'clock in the morning, as there would be at eight on a dark winter night?—No; but people are more sober in the morning, as a rule.

160. But you think they might possibly begin to drink earlier if the poll were open earlier?—I think that the danger in large towns of the safety of the ballot boxes is infinitesimal; but in the country it might be serious in a time of rioting and great excitement.

*Mr. Barran.*

161. I do not know whether you fully understood a question which was put to you by the honourable Member for Nottingham, as to the class of people who usually hold back for something which he indicated; are you aware of the existence of a class of that kind in the borough of Leeds?—Really I would rather say *non mi ricordo* to that question.

162. You have been asked as to what the influence upon the people would be by the poll being closed at a later hour, and their having to wait a longer time for the declaration of the poll; will you say to the Committee whether you do not think that the fact of the poll being closed at eight o'clock would induce the people to disperse, and to wait more patiently until the next day for the declaration of the poll?—My impression is that the excitement being at boiling pitch it would not subside, and that the town would be in a state more or less of disquietude for the night.

163. You say that when the poll is closed they would not go to the centre of the town for the purpose of hearing the declaration?—That is true.

164. Is it not the fact that, after the poll is once closed at a municipal or Parliamentary election, the people who are most forward in seeking to know what the return is, go at once to the town hall for the purpose of hearing the declaration of the poll?—Yes.

165. If the time of closing the poll were to be extended to eight o'clock, would not the inducement to go to the town hall on that evening cease to exist, and would not the people be much more likely to return to their homes at night, and wait patiently until the following day?—Yes, no doubt that would be so.

166. And by means of that time being given to them the excitement might to some extent subside?—The inducement for men hanging about the town, I have no doubt, would cease, and it would induce a great many people to abstain from going to the town hall, but still the public-

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public-houses would be full of the partisans on both sides, who would be waiting there probably in anticipation of the result.

167. But the time being so much longer that they would have to wait, they might go home?—It is like everything else, they would get used to the poll being declared the following day, and they would subside down into it.

Mr. Tennant.

168. Would not the mere fact of their knowing that there could be no declaration of the poll until the following day have a tendency to induce their dispersing, rather than keeping together to a late hour to know the result of the poll?—Yes, except people who are bent upon kicking up a row.

169. If the polling-booth were to be kept open so much longer hours as you state, there must be a system of relieving the returning officers who were presiding in the booths?—I only think of relieving them to the extent of giving them extra pay. You will find that people will do it; it is not impossible, it is nothing particularly hard, it is only tedious. Give them more pay, and let them have refreshments, and then you get over the difficulty.

170. And you would not retire them for any length of time from their work?—No, it would be only like a man sitting up in a room 12 or even 14 hours. You and I have often had to do it together. If you pay men well you can get them to work for you, particularly in Yorkshire.

Dr. Cameron.

171. I suppose there is no practical difference between the constituency of a town like Leeds, and the constituency of one of the large metropolitan boroughs?—Except that, speaking from experience, Leeds is exceptionally well-behaved.

172. I have no doubt about that; but what I wished to elicit from you was your opinion as to whether, as a general rule throughout large towns, what has been accomplished in London might not, with equal facility, be accomplished elsewhere?—Of course it might.

173. You are probably aware, if you read the Report of the Committee of last Session, which has been referred to this Committee, that the expenses in the metropolitan borough of the School Board elections, where this prolonged system of polling hours has long been in use, are not inordinately large?—But you must increase the expenses if you increase the number of hours of polling.

174. If I remember rightly, in the instance of Marylebone, there are 60,000 electors, and at the outside the expenses of the School Board elections, under the prolonged hours, were about 800 l.; should you think that a large amount?—No, it is nearly right. It is rather more than it cost us. I got mine done for 600 l. Of course a Parliamentary election would cost more than that.

175. How many candidates had you at the last Parliamentary election?—Five candidates and three to be returned.

176. What were your official expenses on that occasion?—We were very economical in Leeds. I think I only got 1,000 l. or something like that. Then the mayor charged 150 guineas for his fee, which he gave to me and my clerks. That is by

Dr. Cameron—continued.

a scale of fees fixed under Sir Henry James's Act.

177. What was the constituency, did you say, at Leeds?—It was then 49,300, and is now 49,545.

178. Taking the case of Marylebone with 60,000 voters, and seven members elected under the prolonged hours of polling system, you would not consider 800 l. as the cost of a School Board election at all out of the way?—No, it is about right.

179. Is it possible in a large constituency like Leeds or like one of the metropolitan constituencies, to bring to bear any corrupt influences upon the mass of the electors to such an extent as would in the smallest degree influence the election?—I think you had better ask some of the electioneering agents upon that question, because I abstain altogether from any knowledge of the parties or their working.

180. But as a matter of common sense, what was the majority of the lowest candidate over the next at Leeds?—The larger the constituency the less effect bribery would have; you may take that as an axiom.

181. After a constituency has reached a certain point, I think you will admit that bribery is practically impossible or utterly useless, is it not so in Leeds?—I have no means of forming an opinion, the Members or their agents will tell you more on that point.

Mr. Burt.

182. I understood you to say that under the present system the only difficulty that the workmen have in recording their votes, is their unwillingness to sacrifice a portion of their pay?—Yes, because there is plenty of time between eight and four for all the persons apportioned to the polling stations to vote, if every man voted.

183. I presume there might be another difficulty, that is to say, would the employers, do you think, in every case be willing that the men should go away at any time they chose to record their votes; would not that in some cases involve the probability of a man being dismissed from his employment altogether?—I think that the difficulty is in getting the masters to please the workmen now, and not the workmen the masters. In other words, I think that the workman has only to say he will go, and he will have his own way. I do not think that there will be any practical difficulty, the coercion that a master can exercise over his workmen now is very limited, and I do not think that there would be any difficulty on that score.

Mr. Marten.

184. Have you ever found the masters in Leeds, since the passing of the Ballot Act, preventing their people from going to vote?—No.

185. Or merchants, or builders, or anybody else?—No, the town would be in a blaze if anybody was prevented from giving his vote. Public opinion would be so strong against the man who did it, that he would be unable to show his face.

186. Have you heard of any cases of manufacturers or masters mulcting a man of his pay for the period during which he has been absent for the purpose of going to vote?—I daresay that has been done, that is to say, a master has declined to pay for work which has not been performed.

*Mr. Marten—continued.*

formed. I think I have heard of cases of that kind.

187. Has any case of that kind been represented to you?—I cannot say that it has been represented to me, but it is a well understood thing that a man who is paid by the work that he does, if he takes himself off the work he does not get the pay.

188. That would be only as to piecework I suppose?—Yes, and in the iron works also where a piece of work takes so many hours, if a man

*Mr. Marten—continued.*

should go off his work for an hour. I am speaking now of what I am not very well acquainted with, but I think it is so.

189. Can we be supplied, do you suppose, from the records of the borough, with the returns of the number of persons who have voted, and with the expenses at the recent Parliamentary elections, municipal elections, and School Board elections?—Yes, certainly. If it is the wish of the Committee I will undertake to obtain it for them.

*Mr. Curwood.*  
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*Mr. ELIHU FINNIE, called in; and Examined.*

*Chairman.*

190. You are, I believe, Agent for one of the political parties in Leeds?—Yes.

191. You have heard the evidence which Mr. Curwood has given us about the extension of the hours of polling; speaking generally, do you corroborate what he has said, or do you object to any of the conclusions which he has set before us?—I wish merely to make a correction as to a statement of Mr. Curwood with reference to the School Board elections. In the first School Board election that we had in Leeds, in the year 1870, the hours of polling were between one and eight; that was the first election held under the Act.

192. At subsequent elections were the hours of polling changed?—Yes, they were changed from one to eight to nine to four.

193. Are you able to give us an opinion as to which is the most acceptable to the voters?—Yes. Judging by the number of voters at the first election, when about 30,000 polled, and at the second one about 24,000.

194. I do not understand you to say that the reason for that diminution in the number is the change of hours?—I think it is very largely due to it. At the first election, between the hours of one and four the polling was very slack, between four and six it considerably increased, and between the hours of six and eight every booth in the borough was thronged, and the polling was very heavy.

195. To what cause, then, do you attribute the change of hours on the part of the authorities?—I believe it was a matter of convenience to themselves.

196. In consequence of that change is it within your knowledge that complaints to any extent have been made?—The feeling I know to be very strong in the masses of the people on this question of hours; they are strongly in favour of an extension to eight o'clock.

197. With regard to the School Board, we certainly rather inferred from Mr. Curwood's evidence, that there was no objection at all taken in Leeds to the hours of the School Board elections; that appeared certainly to be the conclusion to be drawn from his evidence; is that your experience?—I have no hesitation in saying that the hours from one to eight would be preferable, and I really think that that is the general feeling which exists in the borough.

198. Do you corroborate Mr. Curwood when he says that there is not so much strong feeling excited in the case of School Board elections in Leeds, as in the case of Parliamentary and municipal elections?—I do not say that at all; my opinion is that there is a good deal of strong

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*Chairman—continued.*

feeling, and I think the number voting would corroborate that opinion.

199. Do as large a proportion of voters poll in cases of School Board elections as in the case of Parliamentary and municipal elections?—Yes.

200. And yet they now vote between the hours of nine and four?—Yes, in fact, within the last ten years over which my experience goes, more polled at the first School Board election than at any municipal election within that time, with the exception of one year.

201. With regard to the Parliamentary and municipal elections, you come to state to the Committee that there is a very strong opinion, as far as you know, within your knowledge in Leeds, in favour of the extension of the hours?—Yes.

202. Is it within your knowledge that a large proportion of voters have been prevented from recording their votes by the poll being closed at four o'clock?—Yes, I believe so.

203. Is it within your knowledge that the principal pressure of voting is during the dinner hour?—It is so, from about twelve until half-past one.

204. You must have had considerable knowledge, of course, of this from being an agent to one of the parties; is it within your knowledge that very many voters have had to return to their work after dinner, having attempted to record their vote, but having been unable to find time to do so, in consequence of the pressure in the booths?—Yes, that is within my knowledge.

205. Did that take place to an appreciable extent, causing complaint on the part of some of the voters?—I have heard so.

206. Have there been any cases of workmen being prevented leaving their work to go to vote?—I have reason to believe that there is a very strong objection in the large workplaces to the men leaving their employment for the purpose of voting, and also from the millowners; in fact, the men are not allowed to do it.

207. What extension would you suggest?—To eight o'clock.

208. Do you see any practical objection, on any ground that occurs to you, to this extension?—None whatever.

209. You think that it would not continue the excitement of the election longer than is prudent; or, at all events, that any evil in that respect would be counterbalanced by the advantage to be gained by the additional facilities given to voters?—I think that there is no evil of that kind to be apprehended. I would further say, I do

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*Mr. Finnie.*



Mr. Finnie.

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Chairman—continued.

not think that Leeds is an exceptional town in that respect; I speak now of the immediately surrounding towns.

210. Are there also a very great number of voters who hang back, I will not say from corrupt motives, but from wishing to see how the poll is going, so far as information can be given them under the ballot, as in every constituency there is a certain number that hang back?—Yes; I think, so far as Leeds is concerned, that can scarcely be charged against us at all.

211. You say that there is great pressure at the dinner hour; would there not be such pressure towards eight o'clock, between half-past seven and eight, of persons all coming to vote at the same time, as would practically prevent even those persons voting if they wished?—No, I think not; I think the voting would be constant and gradual.

212. With regard to the declaration of the poll, do you see any objection to the counting of the votes, and, consequently, the declaration of the poll being postponed until the next day, on the ground of continuing the excitement in the borough, and, consequently, probably increasing drunkenness, if such a thing be known in Leeds, during the night in times of excitement; do you see any reason in that?—No, I do not; I think it might perhaps be an advantage, on the whole, if it were deferred until the following day; but, so far as the counting at the municipal elections is concerned, it is generally over by half-past seven or eight o'clock, or very soon after that.

213. Do I understand you to say that you think the counting could be managed on the same night?—Certainly I do, in the municipal elections.

214. Have you had experience of any Parliamentary elections in Leeds under the ballot?—Yes.

215. Is it your opinion that the poll being closed at eight o'clock, it would be possible to count the votes and to declare the poll the same night?—I think that counting the votes in our Parliamentary elections is generally terminated about midnight, and, of course, having the poll open three or four hours more would throw it two or three hours later still, perhaps until three or four in the morning.

216. That would be obviously a very imprudent thing to do, and very undesirable?—I think so; it would be better to defer it to the following day.

217. Now we come to the question of expense; what have you to say about the increased expense?—I should defer entirely to Mr. Curwood on that matter.

218. You agree with him that an increase of the polling-booths would not only cause a larger increase of expense than the addition to the polling hours, but also would not meet the difficulty which both you and he say exists at Leeds?—I do not think it would.

219. In fact, you are of opinion that a large number of voters in Leeds are practically disfranchised at the present moment?—No doubt of it.

220. Is that the case both with regard to Parliamentary and municipal elections?—Yes.

221. And there is a general call for the extension of the hours of polling?—Yes, there is a general call, I think.

222. At the same time there is no such com-

Chairman—continued.

plaint with reference to the School Board elections?—No, I cannot say that I have heard the same complaints with regard to the School Board elections. As Mr. Curwood has said, hitherto those contests have been conducted more by religious bodies than by political bodies.

223. You do not quite agree with Mr. Curwood that there is not the same fervid interest taken in the School Board elections?—I do not; I differ with him entirely there.

224. But still I gather from you that, notwithstanding the interest taken in them, and that the voting is conducted between nine and four, there is no substantial complaint made as far as you are aware?—So far as I am aware, there is not. You see that comes triennially, whereas the municipal elections come annually.

225. It would seem to be more important, would it not, for a man to exercise his vote, if he only gets it once in three years, than if he gets it once a year?—I have said that more have voted at the School Board elections than at the municipal elections within the last ten years; every year with one exception.

226. That was the case at the last election, was it not?—No; in 1876, about 25,000 voted.

Mr. Isaac.

227. You told the honourable Chairman, in reply to his question, that you thought that the voting, if extended to eight o'clock, would be constant and gradual, and that towards the later time there would not be that pressure that you have in the polling-booth now at noon, but still you say that the great mass of electors at the School Board election of 1870, when the hours were extended to eight o'clock, voted in the two hours from six to eight o'clock?—Yes, those were the strongest hours.

228. You also said that it was gradual from one to four, and that it increased from four to six, but that the mass of the voters voted from six to eight?—Yes.

229. Would not you go to the extent of saying that the pressure would be equally great during the latter part of the time of polling if extended to eight o'clock, as it is now at the dinner hour?—The poll is now closed at four o'clock, and you would get four extra hours from four to eight, which would make a very material difference. The pressure now takes place within an hour, or within an hour and a half.

230. I am basing my question upon what you say with reference to the School Board election of 1870, when the greater part of the voters voted during the last two hours, that they had no indifferent poll taken from one until six, and that they then came up in large numbers; if I remember rightly, your answer was this, that the polling from one to four was gradual, and from four to six it increased; but from six to eight all the polling-booths were crowded?—From four to six the polling was heavy, and it was much heavier between six and eight, but there was no inconvenient crowding.

231. That goes to the extent to show that if you extend the hours of polling now, still the pressure will come at one particular time?—It will come from about five till eight. You will get three hours then instead of an hour or an hour and-a-half as at present, which would make a very material difference.

232. Do

*Mr. Isaac—continued.*

232. Do not you think that the same persons who hold back at noon, would hold back at night?—It is not a holding back; it is an inconvenience and an impossibility in many cases at noon, and not a wilful holding back.

233. Where would the impossibility be?—Their employment prevents them.

234. If sufficient accommodation were afforded, every man could poll between the hours of 12 and one if he desired to poll, could he not?—If sufficient accommodation were provided, yes. But Mr. Curwood, I think, has shown, as far as we are concerned, the almost impracticability of it.

235. If I remember rightly, Mr. Curwood said that the accommodation was provided, but the men did not avail themselves of it; can you give the Committee any idea of the number of votes which are recorded in Leeds at a Parliamentary election?—At the Parliamentary election of 1868, the calculation was rather short of 28,000; in 1874 it was 30,000; and at a bye election which we had in 1876, it was about the same number, 30,446.

*Chairman.*

236. I understood you to say that previous to the School Board election, there had been a larger number of voters than those figures which you now give seem to point to, because you say that in 1876 the School Board voters were something like 25,000; whereas in 1876, in the bye election, 30,446 voted for the Parliamentary election?—My reference was simply to the municipal election, in the comparison that I made.

*Mr. Isaac.*

237. Supposing the hours were extended, how many more persons, do you think, would poll than those 30,000?—That is not a very easy question to answer.

238. But your experience as an agent would probably enable you to judge pretty much how many more would poll?—I should judge about 5,000 more.

239. Mr. Curwood in his evidence said that complaints were made to him by the representatives of the parties with regard to the hours of polling; were you one of the representatives who complained to him?—No.

240. Although you have heard several complaints from persons whom you represented, that they could not vote in consequence of the short time which they had to record their votes?—Yes; I never made any formal complaint; I know that such complaints have been made, and I have no doubt that he and I have incidentally in conversation referred to the subject, but I never made any formal complaint of that kind.

241. Are you of opinion that extending the hours of polling would in other towns than Leeds (because Leeds, Mr. Curwood tells us, is an exceptional town) increase the probabilities of excitement of any kind?—I am not disposed, as I have said already, to agree with Mr. Curwood there, that we are exceptional. As far as most Yorkshire towns are concerned, I should entertain no greater fear than I do of my own town.

*Mr. Marten.*

242. At what election for the School Board 0.109.

*Mr. Marten—continued.*

were the hours from one to eight?—At the first election, in 1870.

243. Then a change was made in 1873, at the next election?—Yes.

244. And that change was made by the authority of the returning officer?—Yes.

245. Was any representation ever made, so far as you are aware, to the returning officer by any party in Leeds to alter the hours back again?—I am not aware of any representation having been made to the returning officer.

246. Have you taken a part personally, as an agent, in the conduct of any of the School Board elections?—I have taken part as the agent of a political party, but not in connection with any of the religious bodies.

247. But you have in fact been interested as agent for a political party in relation to the School Board elections?—I have.

248. And you have taken an active part in them?—Yes, a somewhat active part.

249. That being so, I do not understand that you have ever yourself made any representation to Mr. Curwood, either with regard to the Parliamentary, or the municipal, or the School Board elections, as to the hours of polling?—No; I may candidly say that personally, in consequence of the duties devolving upon me, I would prefer the hours remaining as they are, but I know that public feeling, and the convenience of the masses of the voters, demand that some change should be made.

250. Do I understand you to say that you consider that as much active interest is taken by the working classes in the result of the School Board elections as there is in the case of the municipal or the Parliamentary election?—I do not think there was so much strong feeling at the first election, although a large number voted; but I think that the feeling is on the increase now amongst the working classes, and unconnected with religious faith.

251. You think it was very manifest at the School Board election of 1876, that the working classes took a very large and general interest in the election?—Yes, as members of the religious communities; large numbers of them being connected with the various religious bodies.

252. Did the working classes generally take an active interest in the election for the School Board in 1876?—Yes.

253. You have said that personally you would like the hour to finish at four o'clock; can you give the Committee any opinion upon this point: supposing that you extend the working hours from four in the afternoon to eight in the evening, so as to make the full 12 hours of polling, do you consider, first of all as regards the agents and persons officially employed, that there would be a risk of such strain being placed upon them as that they might not be trusted to do their work efficiently?—I think not.

254. Take the case of agents and other persons who are actively employed in every election; do you not think that there would be more risk of their being over fatigued or being likely to do rash things, in consequence of the prolonged excitement, than there is now?—I do not think so.

255. At what hour is the result of a Parliamentary election generally declared in Leeds now?—About midnight.

256. For a municipal election it is about eight o'clock

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Mr. Marten—continued.

o'clock in the evening, I think?—Yes. Of course it depends upon the number of contests. When we are fully contested it would be half-past eight or nine.

257. At a School Board election the result is declared the next day, is it not?—Yes, the next day.

258. Do you think that the inconvenience to working men could be rectified at all by having central polling places and special polling places which would be in communication with the district polling places, so that the working men might be at liberty to poll either in the centre of the town or in the outlying districts?—I scarcely see the practicability of that, seeing that the lists are made out in wards.

259. Supposing there was a central polling place, which would be in communication with the wards, and that there were double lists, and that persons would be at liberty to poll in either place, would there be any inconvenience then in all persons recording their votes?—I think that might lead to a system of double voting.

260. Do you think that would be so if they were in communication?—I think so.

261. They could be kept in almost instantaneous communication, could they not?—I do not think that would be practicable.

Sir William Cuningham.

262. If the poll were open at six o'clock in the morning, I suppose that would have the same effect of enabling the working men to record their votes, and they would be able to do so as well as by keeping it open till eight o'clock?—A large number of them commence work at six o'clock.

263. Say that the poll opened at five, what would you think?—I think that would be a very unreasonable hour, and I think that very few indeed would avail themselves of it.

264. Would it not, therefore, have the same effect of enabling all of them, only they would all vote in that case?—No, they would not, certainly.

265. On the whole, you think it very much better to extend the hours in the evening than to open the poll earlier in the morning, as I understand you?—I think so.

266. I suppose the hours of both Parliamentary and municipal elections have been the same, that is to say, between eight and four, during your recollection; has this desire to have the hours extended in the afternoon always been in existence?—Yes; for years it has been gathering strength.

267. It is not consequent in any way on the ballot?—Not at all. The numbers on the list are rapidly increasing year by year, and with that the feeling has increased for an extension of the hours.

268. But I suppose that voting by ballot takes a longer time than the old system?—Yes, it will take rather more time.

269. Therefore there is greater difficulty in taking all the votes between those two hours than there used to be, and a greater number of electors are prevented from recording their votes?—Yes.

270. Therefore, the ballot rather strengthens the argument in favour of extending the hours?—Yes, I think so.

Mr. Burt.

271. Do you agree with Mr. Curwood in his expression of opinion that the employers will allow their workmen to go away at any hour during the day to record their votes?—I believe I am justified in stating that there is very considerable objection; in fact, it is an impossibility for working men to avail themselves of that, not so much in consequence of the influence of the employers as of the overseers, who very naturally, and perhaps very properly, do not wish the work to be interfered with. Working men have not the option of leaving their employment when they think fit.

272. In putting the question, I did not at all suggest any undue interference on the part of employers; but, as a matter of convenience, would they be likely to be willing to allow any of their workmen to go away at any hour during the day to record their votes?—From all the information that I have, they would be unwilling. The working men are not able to do it except in very rare cases, and certainly not in many concerns.

Dr. Cameron.

273. In those concerns I suppose the work of one class of operatives is dependent so much upon that of another class of operatives, that is to say, that the work of the non-electors would depend so much, in many cases, upon that of the electors, that it would be impossible to allow the electors to go without stopping the whole work of the mill?—Yes, I suppose that that is the case in many trades.

274. Is it not the fact that the only convenience which could result from an increase in the number of polling booths would be that the distance between where an elector happened to be, and the place where he happened to vote, would be diminished by the length of the ward; that is the entire advantage that an increase of the polling booths would be, would it not?—Yes, that would be all.

275. Is there much building going on in the suburbs of Leeds?—There has been of late years, but not so much at the present time.

276. The operatives employed in those building works are to a large extent voters, are they not?—Yes.

277. In order to vote at present during their dinner hour those men, I suppose, would have to come into Leeds, probably from a distance out of Leeds, and to vote there, and then to go back and get their dinner, all within the hour?—Yes.

278. Practically, I suppose, they do not do so?—No, it is altogether impracticable; hence the necessity of so many vehicles being required at Parliamentary and municipal elections.

279. You are probably aware that at Parliamentary elections in boroughs the employment of vehicles is prohibited?—I am quite aware of that, and I am quite aware, at the same time, that the law is entirely inoperative.

280. In that point of view, the present state of the law leads, does it not, to a breach of the law in that respect?—It does; and the extension of the hours I am certain ought, and I think would, have a very decided tendency to diminish the employment of vehicles.

281. The honourable Member for the Ayrshire burghs suggested to you that the hours might be lengthened by opening the poll at five or six o'clock; would not there be this very great objection

*Dr. Cameron—continued.*

jection to that, that it would be impossible to get the polling officers ready in the booths, and everything ready in the booths, at that hour without very great inconvenience?—I am quite certain it would; I have known one or two cases where the agents have not been able to get there by eight o'clock.

282. I suppose that, to commence work at eight o'clock, they must be there at about half-past seven?—Yes, or a quarter to eight, certainly.

283. And in order to do that, in many cases they have to leave their homes very much earlier?—Yes.

284. An honourable Member also asked you whether this was a new idea, and you said it was not; but I suppose it really originated from the time of the recent extension of the franchise?—Yes; there was no necessity for it before.

285. By the extension of the franchise a number of those men who at present are precluded from voting by the limited hours were for the first time given the franchise?—Yes.

*Mr. Tennant.*

286. Do not you think that the objection to allowing a voter to vote at the polling-booth nearest to where he is at work, on the ground that there might be personation and voting in different wards at different times, might be avoided by the voter having the power, as they have in counties, to elect at which particular polling-booth he would record his vote?—Which election, of course, would have to be made at the time of revision. The changes of residence of men of that class are so very frequent that that would scarcely meet the difficulty, even if it were practicable.

287. Do you not think it would not be the change of residence, but the change of where he worked at?—I do not see the practicability of it.

288. Will you point out how you think it would be impracticable; men do not very frequently change the large manufactories at which they work in Leeds; they work at the same place for years and years, and whatever part of the borough a man resided in, is there any reason why he should not elect, if he has a vote all, to vote in the particular district where he is working?—I see no better plan than the present one, that is to say, his voting in the ward where he resides. There may be no doubt, I suppose, about its being practicable. Very few things, perhaps, are impracticable now, and it might be reduced to a practicability, no doubt, but I see no need for it.

289. What is the objection that you see to it?—I know that, so far as the county of Yorkshire is concerned, that liberty is very little taken advantage of.

290. I know that I take advantage of it myself?—Yes, I know you do; but the voters are very few who do, and I think there would be still less in boroughs in consequence of the trouble it gives.

291. It would show that a man was indifferent whether he recorded his vote or not, if he will not take the trouble to go where he can vote?—But such is the fact, I believe.

292. You say that there are objections raised on the part of some employers to giving their men an opportunity of breaking their time for the purposes of voting; do you think that is at  
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*Mr. Tennant—continued.*

all general in Leeds?—I think it is quite general in connection with considerable concerns; the overseers have a decided objection to the men being interfered with during the ordinary course of employment.

293. You were asked by Dr. Cameron as to whether they give them leave to go at any hour; of course, an employer would not like to give his workmen leave to go at any hour; but would not he give them leave to go at some hour during the day?—No, the exceptions are very rare indeed where their consent can be obtained. It has been sought I know in many cases.

294. You said, I think, that personally you were not in favour of any change, but your opinion is, that there is a strong and general feeling that there should be an extension of the hours?—Yes.

295. Have you seen that manifested in any ostensible manner, or in any organised fashion?—I know it to be a point in the political programme of many organisations. I have heard it strongly spoken of in an innumerable number of cases, both in public and in private. It is a feeling, I believe, to be not at all confined to one political party; I think it is a general feeling on the part of men in certain positions.

296. I think you said you thought that if the hours were extended, probably 5,000 more electors would vote; of what class would those electors consist, as a rule?—Of the working class.

297. Not of clerks?—No; there might be a proportion of clerks, but it would be a very small one.

298. Mr. Curwood could not answer the question, I daresay you can, as to whether a great number of operatives in Leeds live at a distance from their place of working?—Many of them a considerable distance, especially the men employed in the building trades.

299. Could you give me any instances in the building, or any particular trades, where the working people reside, as a rule?—A very considerable number of labourers connected with such trades reside in the eastern and the north-eastern portions of the town; but the men are employed and called away to all parts of the borough.

300. They might be working in their own ward, or in some other ward?—Yes; now and then they may be working in their own wards, but the building is not taking place in the eastern part of the town.

301. But, as a rule, a workman in Leeds lives as near his place of work as possible?—Where there are so many thousands of them, of course a large number do; but, at the same time, a very large number do not; they live a considerable distance from it.

302. Take the mills, for instance, surely the men who work there as a rule live as near as they can get to their mills?—I know many men who live two and three miles away from their work, some of whom have been in the same situations for years.

303. You say that the greatest pressure, when the School Board election was open till eight o'clock, was between six and eight; when is the greatest pressure now under the present elections, say the Parliamentary elections?—The hours from 12 till two, there is the greatest pressure during the dinner hour.

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304. Not

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Mr. Tennant—continued.

304. Not from three to four?—I think not.

Mr. Barran.

305. Is it not a fact that at the eastern end of the town, generally speaking, the rents are very much lower than they are at the west end, and in consequence of the rents being much lower the poorer paid workmen resort to that district?—Yes.

306. And is it not a fact that a large number of men who work at dyehouses and tanneries, and other works at the west end of the town, have their residences from a mile-and-a-half to two miles distant from the places where they work?—I believe that to be the case in a very considerable number of instances.

307. Is it not a fact that at the municipal elections a very large number of those men are taken in vehicles into the east and north-east wards to record their votes?—Yes, that is so.

308. If the hours of polling were extended from four to eight o'clock, would not that extension obviate the necessity for those men being taken in the way that they are at the present time?—I know it ought to do, and I think it would.

309. In reply to a question put to you, as to whether you had made any complaint to Mr. Curwood about the hours of polling being altered in connection with the School Board elections, is it not a fact that the power to alter those hours is not vested in Mr. Curwood but in the mayor, and if any complaint had to be made it would have to be made to the mayor, as the returning officer?—Yes, that is so.

310. You have been asked a question as to whether the opening of the polling-booths at five o'clock in the morning would offer any facilities of a satisfactory character for the electors recording their votes, and I think you stated that an extension of time in that direction would really be of no advantage to the working people?—None at all.

311. In consequence of six in the morning being the time of commencing work in many establishments?—Yes.

312. So that it is your opinion that that would be only prolonging the hours without offering any advantage?—Yes.

313. You heard Mr. Curwood remark, with regard to the danger which might arise in an excited time of the ballot-boxes being either abstracted or tampered with; have you ever seen any reason to suppose that anything of that kind would occur at an election in consequence of those boxes being taken through the streets on a dark night at eight o'clock?—Not the slightest.

Mr. Henry Samuelson.

314. Was there any practical difficulty in taking the poll in the four hours between four o'clock and eight at the first School Board election, owing to crowding or riotous disturbance in those hours?—No.

315. Then there was no greater difficulty found in the later hours than in the present early ones?—No.

316. When was the poll declared, in the 1870 election, when the hours were from one till eight?—The following morning at seven o'clock; and in the second instance, 1873, it was six in the morning, I think. In 1876, the votes were counted on the following day, Monday.

Mr. Henry Samuelson—continued.

317. And in 1873 the poll was open from nine till four?—Yes.

318. Can the working men in general, not only those employed in the building trade, get home, get their dinner, get to the poll, and get back to their work again in one hour?—Not very likely.

319. If you had a central polling place, the crowd there would be generally in the dinner hour, would it not?—Yes.

320. Then would not you say that that would greatly enhance the difficulty of getting through the number of voters who would apply in that hour?—No doubt.

321. What precautions do you generally take for preventing personation at the polling-booths?—By the appointment of agents.

322. The agents that you appoint are men, are they not, who know well the persons who vote in the wards in which they reside?—Yes; we get the best men we can for that purpose.

323. Would it not be a very much more difficult thing to get the agents together in one central place to identify the voters, who would congregate at that time from all parts of the town?—Undoubtedly.

324. And you think there might be a greatly increased risk of personation?—I think that the check would be very small indeed.

325. Do you think it would be practicable, speaking as a Parliamentary agent, to have a central polling place?—I think there would be very considerable difficulty in it. I should hesitate to say as to anything being impracticable; it might be possible.

326. You have not taken any part in the management of the machinery of an election?—No.

327. Would there not be some danger of the secrecy which ought to be enforced by the Act being divulged, if a separate set of clerks were allowed to go on in the middle of the day to relieve the clerks who had been taking part in the poll?—No, I do not see that.

Mr. Marten.

328. I understand you to say, that in 1870 there was a more general feeling of interest about the election for the School Board than there was at either of the subsequent two elections, but that the interest is reviving again now?—Yes.

329. Do you think that there would be any difficulty in vesting in either a returning officer or in the local authority some discretion as to the hours; supposing, for example, there were this provision made, that the polling-places should be kept open for at least eight hours, and that those hours might be taken at any time, say between six or seven in the morning, and eight at night, and might be either continuous or divided, as in the School Board Act, do you think that that could be put into operation satisfactorily to all parties?—No; I think the more satisfactory method would be for the law to make it binding, and not to leave any option to the local authorities.

330. Would you suggest that that should be limited to certain large towns, for example?—No, I would not suggest that.

331. Do you know what the hours of labour are in Leeds generally?—I believe from six till five or half-past.

332. What

*Mr. Marten—continued.*

332. What is the dinner hour?—An hour; from twelve to one.

333. What is the breakfast hour?—I think half-past eight to nine, or eight to half-past.

334. What are the ordinary business hours of clerks and warehousemen?—I apprehend from nine to five or six.

335. Have you heard any complaints on the part of clerks that they have not been able to vote?—No.

336. So far as you are aware, the complaint arises solely in connection with the working classes?—Yes; and I may say those that Mr. Curwood referred to as men of business living in the suburbs, and leaving home before the opening of the poll in the morning, being obliged to go up to their residences. Many of them are duplicates, and could vote in town, but in the municipal elections the duplicate voters having the means to vote in the ward of residence, but leaving home before the opening of the poll in the morning, are obliged to go up during business hours. I have heard frequent complaints on that score, whereas if the poll had been opened longer, say till seven or eight o'clock, that necessity would have been obviated.

*Mr. Isaac.*

337. As a matter of fact, and as a rule, clerks in banks and clerks in warehouses would go and poll as they passed the polling-booth in the morning; assuming that a man desires to record his vote in the place where he lives, the poll opening at eight o'clock, he would record his vote before he went to his office?—No doubt, in a large majority of cases.

338. In that case he would not have to leave his office in the middle of the day to record his vote?—No, I am speaking now of men in business, not of clerks.

339. A man of business residing at some little distance from his house of business would record his vote, would he not, at eight in the morning?—I spoke more particularly of the municipal election; the municipal poll does not open till nine.

340. Taking it from your point of view, we will suppose that a man in business will take a quarter of an hour extra in the morning, and get to his place of business at nine; he would go at half-past nine, and record his vote on his way?—Many of them are quite as unwilling to lose a quarter of an hour from business as many of the working men are.

*Mr. Marten.*

341. Your observation, as I understand, does not apply at all to Parliamentary elections, where the poll opens at eight?—No.

342. There is not the slightest difficulty in persons engaged in business recording their votes at eight in the morning?—No; not from eight to nine.

343. Are there not a good many thousands of cases where persons engaged in business do record their votes at eight in the morning?—Yes.

344. Therefore, your objections, as applied to the municipal elections, would be removed if the hour was moved back from nine to eight in the morning, and made similar to the Parliamentary elections?—To some extent it would be removed, but not altogether. It frequently happens that a man having a vote in the ward of residence, in

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*Mr. Marten—continued.*

the suburbs, and another in the ward where his business is situated, does not know in the morning which ward he will vote in; it depends upon circumstances arising during the day frequently; if the poll were to be very near at hand he might go and vote, but if he had to go home there would be an inconvenience to him.

345. What circumstances do you refer to?—So far as can be ascertained of the state of the poll.

346. I suppose you cannot ascertain that, can you, under the ballot?—We frequently know how things are going on.

347. Are you aware that provision is made under the Municipal Corporation Act for preventing any person being on the list of voters for more than one ward?—I am not aware of that, the Act is deficient in that respect.

348. But does not the Act declare that he shall only vote in one ward?—That he shall vote and make his selection in which ward he will be put upon the list; but it makes no provision how he shall select, or when he shall select, and that is felt to be a very great hardship.

349. Supposing that at the time when the register was made up, a person was not on the municipal list for voting, except in respect of one ward, then I suppose your observation would be disposed of?—Yes; it would not apply.

350. In those cases where you say that a person may postpone voting in order to vote according to the result of the election; in that case is he acting in a way in which he is entitled to special consideration for the purpose of voting; he would have an opportunity, would he not, of voting at eight o'clock in the morning if the place was open at that time?—Yes; but I do not know any reason why he should not select his place of voting beforehand.

351. Do you consider it expedient that the Legislature should provide special means for him to record his vote, if he wishes to postpone it until, from the course which the election is taking, he thinks he can give most weight to his party?—So long as he has more than one qualification, I think no impediment should be thrown in the way of his exercising his rights in any way he thinks fit; at the same time I think it would be well if the Act provided that no person shall be on the list more than once.

352. With that exception, do I understand that the complaints that you have had brought to your attention particularly, are complaints with regard to working men recording their votes?—They are mainly so.

353. At Leeds are the working men generally employed in any one class of manufacture, or are the working men employed in every kind of manufacture, no one having predominance over the others?—In a large variety of manufactures.

354. Are the mills or workshops where they are employed in the centre of the town, or are they scattered about?—They are scattered about all round the town nearly.

*Sir William Cuningham.*

355. If all the electors had a reasonable opportunity of recording their votes, would it, upon the whole, be better, in your opinion, that the poll should close, as now, at four o'clock, rather than later?—If they all had an opportunity of voting I think it would be better that it should remain as it is.

356. For what reason?—Inasmuch as I do not

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Sir William Cunningham—continued.

not see that there would be any ground for complaint.

357. Would there be likely to be any additional turmoil in the town?—No.

358. Then there is no particular objection that you see to it?—No.

359. You were asked a question a short time ago as to whether it would be practicable for each elector to choose the polling station at which he should vote, to which you answer that you thought that, if practicable, it would be very difficult; if it was made practicable, would it be an advantage; would it solve the difficulty of enabling the electors to record their votes during the dinner hour?—I should think it would.

360. You have no experience which would enable you to say decidedly whether it is practicable or not to make such an alteration?—No.

Mr. Charles Lewis.

361. Do you think that there is any great extent of evil in Leeds from the difficulty thrown in the way of the working classes by the present hours of polling to record their votes?—I think it is a great inconvenience to a large number, and disfranchising to a very considerable number.

362. We will refer to disfranchising first. Do you think that in a contested election at Leeds, really that any large number of persons are prevented voting from the inconvenience of the polling?—I do.

363. What do you call a great number?—I should call 3,000 or 4,000 a large number.

364. You have a constituency of 40,000 or 50,000, have you not?—There are 49,000 to 50,000 on the Parliamentary list.

365. Is it your opinion that in the last one or two contested elections at Leeds under the new franchise 3,000 working men have been kept from voting by the impossibility of practically recording their votes?—I think that the number of men that I have stated would vote if the hours were extended.

366. Does that arise, do you think, to any extent from the masters not being willing to give facilities for voting?—Probably. If the men were allowed to come out of their places of employment at any hour they thought fit, and

Mr. Charles Lewis—continued.

were enabled to vote, no doubt they would vote.

367. All places of work are over at eight o'clock, I presume?—Yes, except in very extraordinary times; as a rule they are.

368. I suppose you admit that the tendency of human nature, to a great extent, is to delay doing what you ought to do; do you think that a vast number of people do not vote because they postpone doing it?—No.

369. You do not find that in the North?—No, not to the extent that your question seems to imply.

370. Do not you believe that there is a lot of people to whom any hour would be too early to poll; have you not found that in life as a rule?—There are some who never poll at all.

371. A good many people will always put the thing off and not do it at all?—That would be a very limited number.

Dr. Cameron.

372. What is the usual hour of opening among the various shops; for instance, provision shops and grocers' shops?—I think about eight o'clock.

373. I presume a great number of shopmen in those places of business must be voters?—Yes.

374. And they must suffer the same inconvenience as the artisan population?—Yes.

375. I suppose practically they suffer it rather to a greater extent, because they would not live in the quarter of the town in which they are employed?—No; I include in the working classes men of that stamp.

376. Those are rather, I think, to be classed with the clerks?—No, they are a degree below them in social status.

Mr. Henry Samuelson.

377. With regard to a question asked you by the honourable Member for the Ayrshire Burghs, I would ask you whether the largest manufactories in Leeds are not generally situated pretty much in the same neighbourhood?—They are all round the town.

378. So that you do not think, if workmen could elect in which booth they would vote, that that would have such a great tendency to crowd the booths as you supposed before, when you answered my question?—No.

Mr. WILLIAM HENDERSON, called in; and Examined.

Chairman.

Mr.  
Henderson.

379. I UNDERSTAND that you have been for some time chief constable of Leeds?—That is so.

380. For how many years have you held that office?—For three and a half years.

381. During that time how many elections have taken place?—There have been the annual municipal elections, there has been one school board election, and a Parliamentary election, which was a by-election.

382. I will ask you generally what is your opinion with regard to the extension of the hours for polling; in the first place, do you think that many voters are prevented voting, and in the next place, what do you think would be the effect incidentally of extending the hours of voting with regard to rioting and malpractices?—In the

Chairman—continued.

first place, I do not think myself that very many people are prevented from voting; I should personally say that I have watched the thing pretty closely; I have made a point of visiting nearly every polling station in the borough when an election was going on, and I have not heard of a positive block even at the very busiest time, the dinner hour, at any polling station. I have always been under the impression that if a man was very anxious to record his vote, generally speaking he has been able to do so. In a borough such as Leeds, where the area is so very extensive, indeed, covering an area of something like 22,000 acres, one can quite see that there are instances where recording one's vote would be very difficult indeed. Supposing a man lived in the east end of the town, and was employed in building perhaps a mile or two miles away, it would



*Chairman—continued.*

would be a very difficult case in that instance for that man to come to his own ward to record his vote; but I should think, generally speaking, that would be comparatively a rare thing. There is no doubt whatever that the fact that the poll closes at four o'clock enables the authorities to conduct the election with freedom from irregularities which I have some doubt that they would not do if the hours were extended. The very fact that the poll closes at four o'clock, and that the whole business is done, and the excitement is over, all tends, I think, to lessen the chance of irregularities which would undoubtedly exist if the poll was carried on into the hours after dark.

383. We have heard that in Leeds the first School Board poll was held between the hours of one and eight, and that the two subsequent elections had been held from nine till four; I see by a Return which has been presented to Parliament, that that seems to be the case in many other boroughs, but as regards Leeds, are you aware of the reason why that change was made?—I really cannot say, but I should imagine that it was something of the kind to which I have referred.

384. Do I gather from your previous answers that you are not aware of many individual cases, or speaking generally, of any widespread ground of complaint, as to persons being prevented voting?—I am not, and I may say that before I went to Leeds I occupied a prominent position in Manchester, and while there I had an opportunity of seeing the way in which the Act was carried out, and I never heard of any widespread feeling as regards inconvenience or any complaints.

385. You have had experience, I understand, of contested elections at Manchester under the Ballot Act?—Yes.

386. And you are of opinion that there is no cause for complaint as to the hours of polling at Manchester?—I will not say no cause of complaint; I have qualified that to a certain extent; I can quite understand that there are instances of inconvenience, and, in fact, where it is really impossible for an elector to record his vote, but I do not think that it is a widespread or general cause of complaint, because I have always found that a man who takes an interest in politics and wants to record his vote, can pretty generally do so.

387. When Mr. Finnie told us that he considered that 5,000 more would vote if the hours of polling were extended in Leeds, would you think that was putting it too high?—I should think it was going to the extent of it, and a good deal beyond it, I should think; that is to say, judging from what I have seen, I think that if there had been anything like positive injury being done as it were, it would have been shown in some more palpable manner than it has been.

388. Do you find in Leeds that there is much disturbance or excitement towards the close of the poll, or during the time when the votes are counted up before the declaration of the poll?—There is a very considerable amount of excitement.

389. But not in the nature of rioting or disturbance?—No; I can corroborate Mr. Curwood in everything he said about good order in Leeds.

390. You have no knowledge of the School  
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*Chairman—continued.*

Board election of 1870, but supposing the hours to be extended from four to eight o'clock in Leeds, with your knowledge of Leeds, would you anticipate any serious objection on the ground of riot or disturbance?—No, I do not know that I would. The machinery of elections is now much simplified. It is done so quietly under the Ballot Act that the risks in that way are very much less. We all know that when party feeling gets very high, it does not take very much to begin a disturbance, and certainly with the shorter hours the chances of disturbance are very much reduced.

391. In fact, you would re-echo what is almost a truism, that, provided that all the electors are able to record their votes, the shorter the hours during which the poll is open, the better for everybody?—Most unmistakeably.

392. In your opinion, speaking of Leeds, there exists no absolute necessity for increasing the hours of polling?—Not so far as has come under my observation.

*Mr. Henry Samuelson.*

393. Have you any objection, from a police point of view, to extend the hours?—None beyond what might be conveyed in the answer which I have given just now, that I think when the poll closes at four o'clock in the afternoon, the chances of disturbances are very much less than they would be if it were extended into the dark hours.

394. Should you anticipate disturbances at Leeds if the hours of polling were extended?—No, I do not think I would.

395. Do you find now that there is a great rush to vote at the close of the poll in Leeds?—Not so much as there is in the dinner hour, but towards the close of the poll, through the beating up by both parties, of everybody that they can bring together, there is generally a greater number during the last half-hour than there has been during the hour or two previously.

396. Do not you think that the rush during the dinner hour, and the final rush at the close of the poll, would both of them be considerably diminished if the time were extended by four hours longer?—I would have a little doubt in answering that question, because I am afraid that whatever you extend the hours to, as you got towards the close of the election you would have a bit of a rush.

397. Were you the chief constable at the time of the first School Board election which took place from one o'clock to eight o'clock?—I was not.

*Mr. Barran.*

398. I think you have never taken any active part in connection with any political party in Leeds since you took office as chief constable?—Decidedly not.

399. Therefore, I presume that your opportunity of ascertaining the influence of the hours on the number of voters would not be so good as that of a person who is connected closely with the action of either political party?—My whole means of knowledge has been in fact that whilst the elections have been going on, I have been going from polling station to polling station, and I have always placed myself in communication with the leaders of the parties of both sides, irrespective of party, and I have heard their opinions and the general conversation going on in the poll-booth, and from the general appearance of things,

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things, and from general conversation, I have drawn the inferences that I have given utterance to.

400. Do I understand you to say that you consider that the hours now allowed for polling are sufficient for the requirements of the electors; that is to say, that at no period of the day is there such a crush as to prevent people generally recording their votes, and that on that ground you do not consider it necessary to extend the hours of polling?—No, I think that you have based my answers on rather harder and faster lines than my answers altogether warrant. What I said was, that I believed that there might be instances, and I had no doubt that there were instances, where persons working at a very considerable distance from the ward in which they could give their vote, were prevented owing to that distance just now in giving their vote; that there were such instances; but as I answered the Chairman, I did not understand that such instances were so very numerous or so widespread as to lead one to the belief that it was a general cause of complaint. My general impression has been that, taking the great bulk of the voting population, pretty nearly every man who was very anxious to record his vote, has been pretty well able to do so between the hours of nine in the morning and four in the afternoon.

401. Are you aware of about the average number of votes which are recorded in Parliamentary elections; do you know that it is about two-thirds of the number of voters?—Yes.

402. And you would calculate that the other third were those who did not take any interest at all in Parliamentary elections?—At all events, that they did not take sufficient interest to inconvenience themselves to any great extent.

403. Do you think that there is any danger, so far as the conveyance of the ballot-boxes is concerned, from the outlying districts into the centre of the town at eight o'clock at night on the 1st of November, or in winter time?—No circumstances have arisen up to the present time that would lead me to believe that any danger would so arise, provided proper precautions were taken by the persons having the responsibility of them.

404. At a time of great excitement there would be no difficulty, would there, in so protecting the ballot-boxes from the outlying districts at eight o'clock to the town hall itself?—That is another question; it is of the very utmost importance that the greatest care should be taken of the ballot-boxes, because if there were a suspicion of tampering with them, it might upset the machinery of the whole election.

405. From your past experience would you have any reason to fear that any disturbance would take place which would lead to jeopardising the safety of the ballot-boxes?—I can only repeat my last answer, that up to the present time I have seen no reason to think that any such danger would arise, but in the event of any great excitement, I can quite see that the difficulties in conveying the ballot-boxes such distances as we have in Leeds would be very great indeed.

406. But you have never seen such a state of excitement as to lead you to suppose that they were in danger?—No, certainly not.

407. And you have no reason to apprehend anything of the kind from extending the hours of voting?—Not up to the present time.

Mr. Tennant.

408. You seem to think that it might be different if the hours were extended to eight at night, that at any rate the chance of disturbance would be greater?—Yes, that chance would be very considerably enhanced.

409. Is it also your opinion that if the hours of polling were extended, that the pressure would be simply moved from one time of the day to the other, but that, after all, the great pressure would be towards the end of the poll, whatever time that was?—To a certain extent it would; indeed to a very considerable extent, I should apprehend.

410. The pressure would be about from seven to eight o'clock, if the hours of polling were extended to eight?—Yes; but there is no doubt that extending the hours of polling, say, to seven or eight o'clock in the evening, would do away entirely with a grievance which, as I have said, exists to a certain extent, that is to say, in the case of a working man to whom it is practically rendered impossible in certain instances to record his vote during the hours of nine and four. If it was extended to eight o'clock there would be no possibility of his having such a grievance.

411. At the same time the alteration would really remove any pressure during the day, because then the working people would have a tendency to record their votes when their work was over in the evening?—That would be so, I have no doubt.

Dr. Cameron.

412. You stated that you had been at the booths at all hours of the day, and you observed no crush there; that, of course, was from your own personal observation?—Yes, from my own personal observation.

413. Your remark, that practically every person who cared much about voting could vote, was, I presume, merely a deduction from your own observation?—I judged thus, that if there had been any very great cry, if there had been any block, for instance, in the dinner hour, rendering it physically impossible for a man to go forward to record his vote, I should have heard of it.

414. What I wish to ask you has been called to your attention by the honourable Member for Leeds; are there not a number of people in Leeds who cannot get from their places of work to their places of voting within the hour appropriated to dinner?—I think I have said that there are.

415. You said that there were a few, but that practically almost everyone, with the exception of a few working men who wished to vote, could vote?—Yes, I did say so.

416. There is a good deal of building going on about Leeds, I understand?—There has been; it is not so very busy now, I believe, as it has been.

417. I presume, as in the case of other towns, this building would go on at the west end of Leeds?—There is a very considerable portion at the west end, the east end, and the north-east end as well; I do not know that the west end is so clearly defined in Leeds as it is in some towns that I have been in. The growing is pretty general in nearly all directions.

418. Have you any idea of the number of men who would be engaged in building?—No, I have not; I have no data to go upon properly.

419. Should

Dr. Cameron—continued.

419. Should you number them by hundreds or thousands?—I should not wonder if they may run into the thousands, it might be so, but I do not think that there would be thousands of electors employed in that way.

420. Is it the fact that there are 1,200 or 1,400 new buildings put up every year in Leeds?—I could not give the exact number, but I think for a good many years past we have been increasing at a very fast rate in population, and buildings are going up to accommodate them.

421. In that case there must be a very considerable number, thousands of men employed in those buildings?—I do not know that.

422. My object is simply to ascertain the reason of your denouncing Mr. Finnie's estimate as to 5,000 persons being debarred from voting by the present short hours, and to ascertain what your grounds for denouncing it, short of exaggeration, are?—I should think that out of a total of something like 30,000 and odd voters, if you were to say that to the total voting population of about 50,000, 5,000 were to be added to that 30,000 who vote, because those 5,000 people worked at too great a distance from the ward in which the election was, I should say that the circumstances which I have seen at elections, and that sort of thing, have never borne that estimate out.

423. But the persons who are debarred from voting from the fact of their being occupied at too great a distance to enable them to get back to record their votes in the dinner hour, are precisely the people that would not come under your observation, are they not; how would those people come under your observation; they would not crowd the booths?—That is true enough.

424. They would simply make up their minds that they could not vote, and that would be an end of them as far as you are concerned, would not it?—It might be so to a certain extent; of course I can only speak from my observation.

425. And your observation, I presume, simply amounts to this, that there never was any physical impossibility of voting from the crowded state of the booths?—No.

426. As you have observed as to the rest, the matter was of such a nature as not to come strongly under the observation of a man who was not mixed up with parties there?—As chief officer of the police in Leeds, I know pretty well what the population consists of, and from asking generally, and so far as I can make up my mind from what I know, I should be inclined to think that the estimate of 5,000 who were debarred, as I understand Mr. Finnie puts it, would be a very extensive number indeed, judging from my knowledge of the population generally.

427. Last year, in the evidence which was given before the Committee, Colonel Henderson said that two-thirds of the voters in London were shut out by the present system; of course such a large proportion would not be shut out in Leeds, it being a smaller place?—I do not know that the circumstances, as between London and Leeds, are analogous at all; one honourable Member to-day was drawing a comparison between Marylebone and Leeds, but I fancy that the area of Marylebone and the area of Leeds are altogether different; I do not know what the area of Marylebone is, but I should think it would not exceed 4,000 or 5,000 acres; in the Leeds case it is pretty nearly 22,000.

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Dr. Cameron—continued.

428. Therefore there is more need for extension of hours in Leeds than in Marylebone?—I should think so.

429. You are not aware, probably, that Parliament has extended the hours in Marylebone?—Yes, the Act has been passed, as I understand.

430. Then about the amount of interest manifested in politics as being a criterion of whether you should help the men to vote or not, do you think that many people of the middle classes in Leeds would care to lose their dinner in order to record their votes?—A good many of them do. There are very few towns that I have been in, and I have been in most of the large towns, where more interest is taken both in municipal and Parliamentary elections than in Leeds.

431. You are from Scotland, are you not?—Yes.

432. There is a saying in Scotland that a hungry man is an angry man; do not you think the people in Leeds are a little more pacific than the people of Scotland if they are willing to go without their dinner?—I am not quite prepared to venture an opinion upon that.

433. You would not say that there is any greater danger of disturbance in Leeds by having to carry off the ballot-box in the dark than there would be in any of the metropolitan boroughs?—I should think not, except the danger with regard to distance. There are some of the polling districts in Leeds, where you have to go through a purely agricultural district for a mile or two before you get into the borough. I think that between the centre of the town, where there is a dense population, and the outlying districts, perhaps, where the population begins again to get pretty dense, there is in the meanwhile a great proportion of the ground taken up by nothing but fields, coal pits, and so on, all within the municipal area; Leeds has a circumference of over 30 miles.

434. You mentioned the extent of Leeds in this case, how many miles is it from one part to another?—It is fully seven miles across; in fact, a good deal more at some points, where I should think it is fully eight miles across.

Mr. Tennant.

435. How far is it from Stanningley to Roundhay?—Pretty nearly nine miles.

Dr. Cameron.

436. It would be very difficult, indeed it would be impossible, for a man working in one extreme to go back and vote in the other?—No doubt; but in the two districts to which the honourable Member has just referred there are other reasons. It is very unlikely that a Roundhay man would be working at Stanningley, and *vice versa*, but it is quite probable that a man from Marylebone might be working away at the east end.

437. Is it not also probable that a working man, engaged in the building trade or engaged as a shopman, may live in one portion of Leeds which is very far from his place of work?—It is possible, and I daresay does exist in certain cases; but Leeds is peculiarly constructed; that is to say, the borough is made up, first of all, of the town proper, then, round the town proper, there are different places; those places which the honourable Member referred to, Stanningley, Round-

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hay, and other places, which before the incorporation were all villages themselves, each a township to itself, and those townships and districts, as it were, stick very much to each other; that is to say, the population is composed, in each of those places, principally, or I might say altogether, of persons who are employed in those particular places, and who are employed in the mills and manufactories in the neighbourhood, and that sort of thing.

*Mr. Barran.*

438. Is it not the fact that a great many people who are engaged in the building trade, particularly bricklayers and labourers, live principally in the east and north-east wards?—That is so.

439. And in consequence of their living in those wards, and being engaged more particularly at the west end, when the town is extending more rapidly than any other part, that they are a long way from their residences at the time of voting?—That is so, with reference to a good many.

*Mr. Tennant.*

440. Is it not also the fact that building is extending in the north-east of the town almost as much as in the west?—That is so.

*Mr. Charles Lewis.*

441. Supposing a working man had a disposition, for the sake of his country to give up his dinner hour once in five years at a general election, taking one man with another, do you think he has a chance of voting?—I think he has.

442. And that persons who really cannot vote within the dinner hour are rare exceptions?—I think so.

443. Do you know sufficiently of the enthusiasm of the working classes of Leeds to know that when they have got their minds set upon any subject, they would not think much of one day in five years, supposing their dinners were postponed for a few hours?—I do not think they would, so far as I can judge of them. I should say that individual employers afford as many facilities as possible to the workmen to vote.

444. You have been in many towns of the kingdom; take the case of abstentions of large classes of voters, do you not think that in the vast majority of cases it arises from "won't" instead of "can't"?—I should fancy that in a good many cases it does; but I am afraid that I may be going too far in setting myself up as an expert at all in this matter; but so far as I have been able to form an opinion, I have been under the impression that a man who is very anxious to record his vote is pretty well able to do it.

*Mr. Halsey.*

445. Can you form any opinion as to how many of the electors of Leeds are working men; you have told us that there are about 50,000 altogether; have you any idea how many of those are of the working classes?—A very large proportion of them.

446. Would you say 30,000?—Yes; I should think 30,000 would be rather under the mark.

447. We have been told that about 5,000 at the outside are prevented from voting by the present law; but do you believe that those 5,000

*Mr. Halsey—continued.*

working men do really try to get their votes now?—No.

448. I suppose the plain matter of fact is that if they are very keen about it, and very much interested in the result, they do contrive to vote now in some way or other?—That is my own impression.

449. Even out of those 5,000, whatever time you extended the hour to, the probability is that a great many would not vote?—Yes.

450. There are certain people who, we all know, threaten they will do a thing, but who are very glad to have an excuse for not doing it?—Yes. My general experience of elections has been that if it were not for people coaching them up and bringing electors in to poll, active agents, and that sort of thing, you would not have one voter for every five that you have.

451. And that if this excuse were taken away of the short hours, those same people would be sure to find some other excuse for not taking the trouble to vote?—Yes.

452. And there are always people that will grumble whatever the hours might be?—Yes.

453. You say, and other witnesses have said it too, that Leeds is wonderfully free from disturbance or anything of that sort; no doubt that is so; but I suppose it might be possible, if at some future election there was any exciting question before them, they might be disposed to riot under circumstances of pressure. Supposing there were high prices, or any other question particularly agitating the people, you would have the risks of there being riots?—Yes, there have been riots at Leeds.

454. And there might be again?—Yes, and there might be again. There have been riots in Leeds excited by very trifling causes.

455. Of course, if there was a disposition to riot, the danger would be greatly increased by keeping the poll open to eight o'clock?—Yes, I think so.

456. And you think that people of the working class, or any other class, who really take an interest in the elections, do find means somehow or other now to record their votes?—That is my belief.

*Sir William Cuninghame.*

457. We have been told that if the hours of polling were prolonged, necessarily the declaration of the poll would be made much later, even as late as three or four in the morning; do you not think that that would be objectionable in the way of giving a chance for irregularities and riots in the towns?—Exceedingly so.

458. You mean that, practically, there would be so great a chance of disturbances and riots, as would give you a difficulty to prevent them in towns?—I think so.

459. Your experience as chief constable of Leeds, would lead you to suppose that you would be likely to have a great deal of difficulty to keep order in towns, if the poll was kept open very much later, and the declaration delayed to a late hour, in fact?—I think the chances would tend more in that direction, than under the present system of early hours.

460. You think it a matter of so much importance, that it ought to be weighed against the undoubted advantage of the extending the hour of polling?—Clearly so.

461. You

*Mr. Marten.*

461. You talk about the building trade: I suppose that when the days are long, the builders work longer than they do when the days are short?—I believe they do.

462. Do they work up till eight o'clock in the long days in the summer time?—I cannot answer positively. My impression is that, generally speaking, the labouring classes, the building classes especially, close work from half-past four to five o'clock, however long the day is; of course when the nights are long and the mornings are long, they go to work very early in the morning. A working man nowadays is not so fond of making his day any longer than he can help.

463. Do you think if the polling hours were extended from four to eight, there would be an increased danger of drunkenness, and the evils arising from excessive drinking?—I think so.

464. To any serious extent?—I would not like to answer that question; I would not like to say that it would not be, for I am afraid that it might be to a serious extent; unfortunately the municipal elections at present take place in the winter months in November, and the four hours would be practically in the dark, from four to eight.

465. I suppose that they would be practically four hours of excitement?—Yes, four hours of most intense excitement during the time that the election is closing.

466. And I suppose four hours of excitement in every ward that is contested?—Yes.

467. And generally every ward in Leeds is contested, is it not?—Not every ward, but there are frequent elections.

468. I suppose the municipal elections are generally contested on political grounds?—Unfortunately it is the case in Leeds that the municipal elections are all conducted on political grounds.

469. And the excitement is not on account of any local questions, but as to the balance of parties?—Yes, the two great parties, one against the other.

470. Is there any doubt that it would lead to an increase of danger, keeping the poll open during the four hours up till eight o'clock?—I am afraid it might.

471. Do you think it would increase the facilities for corruption?—I am afraid it might lead to that too.

472. Have you any reason to suppose that corruption is practised to any extent in the municipal elections which you have observed?—Not in the shape of bribery. I do not think there is any reason to apprehend the existence of it, but there are so many different ways of doing questionable things.

473. If there were four hours longer allowed for polling in November, when the municipal elections take place, when the days are short, and when there is no moon, would there not be, in your opinion, a considerable increase of danger of the voters spending their time in resorting to public-houses, and being open to influence of one kind or another, and keeping back their votes until towards eight o'clock?—Yes, I think that the fact of the poll closing at four o'clock tends to a great amount of regularity, but in any extension beyond that, the tendency would be towards irregularities.

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*Mr. Marten—continued.*

474. The shorter hours tend greatly to the possibility of sobriety?—Yes.

475. And that any increase of the hours beyond four would tend to increase the insobriety?—I think so.

476. Were you present at the School Board election of 1876?—I was.

477. What is your opinion about the School Board elections; do they create a good deal of excitement?—Yes; but the excitement is of a different kind. There is not the same party feeling as exists at either the municipal or the Parliamentary elections, because the influence that is brought to bear is that which comes from other sources. It is generally a question of religious denomination and religious creed, as regards the School Board. As a rule, there is not that so clearly defined party against party, as it were. The facts that perhaps there are 15 different folks to vote for, and one elector might vote for half-a-dozen in the same way as another elector would vote for the other nine altogether opposite to them, and so on. The counter influence, as it were, is not strong, because of the division of opinion. There are so many opinions represented on the School Board that there is no concentration, as it were, of feeling.

478. Do the working classes, in your opinion, take as much interest in the election of the School Board at they do in the other elections?—I do not think they do, unless there is some burning question. I believe it is very likely that the next School Board election in Leeds will be one in which very much greater interest will be taken, but that is from something which has occurred lately.

479. You think the great bulk of the working classes would not vote at all, unless they were urged by the agents on either side?—I think that a very much smaller proportion would vote than do now, if it were not for the whipping-up, as I call it.

*Mr. Isaac.*

480. Giving your opinion, as you do, from your official position in Leeds, without any political bias, you are very distinct in your ideas that any extension of the hours of polling might tend to increase the danger of disturbances of some kind?—Yes.

481. And you speak from your personal knowledge as chief constable of an important town?—Yes.

*Mr. Marten.*

482. Did you hear any complaints with regard to the School Board election of 1876, of persons not being able to record their votes?—None whatever.

*Mr. Isaac.*

483. You have not had any complaints regularly reported to you by your own officers, of the working classes not having recorded their votes, in consequence of their not having had time to vote?—No.

*Mr. Henry Samuelson.*

484. Previous to your summons to attend this Committee, had you ever specially considered this question of the extension of the hours of polling?—No.

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485. It

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Mr. Henry Samuelson—continued.

485. It came upon you quite as a fresh subject?—That is so; but having received the summons I began to think over the matter, between the receipt of the summons and attending here, and I consulted with my principal officers, who have to carry out my directions, and who have the practical work to do.

486. Then most of your answers rest upon mere personal opinion based upon no very special data. I do not mean to say so far as discipline is concerned, but so far as politics and the advantage to working men, and so forth, are concerned?—I think I have told the Committee all the opportunities which I have had of forming an opinion from personal observation at the polling booths, while the election was going on.

487. But the evidence which you have given as to the police discipline part of the question, is specially based upon your experience?—Yes; for the last 11 years in England, three-and-a-half being in Leeds.

Mr. Tennant.

488. I understood you to say that you did confer with your subordinate officers on this very point?—Yes.

489. And the opinions which you express are the opinions that they gave to you?—That is so.

490. Do you think that there have been difficulties put by employers in the way of those whom they employ voting at any of those elections?—I do not think so.

Mr. Henry Samuelson.

491. Have you ever heard one way or the other?—I know personally a great many employers in Leeds, and I am quite sure that if at those elections there was any general thing of that kind, those matters are taken up with such spirit in Leeds, that if there was any opposition on the part of employers, it would become a burning question, and that the employers would be subject to such an amount of adverse criticism that the whole town would ring with it.

492. Have you heard any evidence one way or the other upon that subject?—Not except what has been given to-day. My experience of the employers is, that they are always willing to afford as many facilities as they practically can to their servants to record their votes.

Mr. Barran.

493. You are aware that many employers would be subject to a very great inconvenience if the men broke off in the middle of the day from certain work that they were engaged in; for instance, men engaged in the iron trade, men who are the puddlers, men engaged in rolling mills, men who are engaged in the textile industries, spinners, and so on; if those men broke off in the middle of their work it would cause great inconvenience to their employers?—I am aware of that; but, during the hours from eight in the morning till four in the afternoon, I should think that there would be some means of arranging for small portions of the men to go away at some hour between eight in the morning and four to record their votes.

494. Are you aware of those arrangements having been made?—I believe there are several cases in existence.

Mr. Barran—continued.

495. Do you know of any of your own personal knowledge?—Not except from what I have heard foremen and masters speaking about in the town; I have heard it frequently spoken of.

Mr. Halsey.

496. I suppose the employers know that those elections come at regular times, and it would be in their power to make arrangements if they had any reason to suppose that a large number of their men wished to go and vote?—Yes.

Mr. Tennant.

497. Is it not a fact that a great many works on the day of election do not work at all?—Practically, I believe that is the case to a very great extent.

Mr. Marten.

498. Do the puddlers work more than about four hours at a turn?—I do not think they do.

499. And the rest of the day, therefore, would be at their own disposal?—Yes.

500. Therefore there would be ample opportunity for the puddlers to go and vote?—Yes; they do a large portion of their work during the night.

Mr. Henry Samuelson.

501. Do not the puddlers work in shifts, and do they not remain until their turn comes on again after the others have finished?—That I cannot say. I think at the wrought-iron works there is a little difference; the puddlers do a large extent of their work during the night.

Mr. Marten.

502. If they work in shifts there would be no difficulty in their getting away?—No.

503. Since you received your summons to attend here, I presume you have used your best endeavours to inform yourself upon the subject, so as to come prepared with the result of your own inquiries and experience, and to inform the Committee of your views?—Yes; in matters about which I have been in doubt, I have tried to get information.

Mr. Tennant.

504. You said you thought that there would be great danger of excitement by not having the poll declared until very late, on one occasion it being between three and four o'clock; do you think, supposing it was understood that the declaration of the poll should not be made until the next day, in fact that the counting of the votes should not begin until the next morning, that excitement would really subside at night?—So far as that went, to a certain extent it would, but it would not subside until a very late hour.

505. Would not it subside earlier than when the declaration of the poll takes place at midnight, if they knew that it could not be declared that day?—I daresay it would.

506. It would be practically impossible to declare the poll, if you came out of the poll at eight o'clock, within any reasonable hour at all?—Yes.

507. If the public at Leeds knew beforehand that there would be no declaration of the poll until the next afternoon, the excitement practically would cease, would it not?—No, I do not think



Mr. Tennant—continued.

think it would; I think that the excitement would be carried out in this way, that there would be an uncertainty which very often is a cause of excitement, and that would lead to the people frequenting the public-houses until closing time, to discuss the chances, and so on; the danger of that would be much more than if it was all over.

508. If the public-houses close at half-past 11, the excitement must cease at that time, so far as drinking is concerned?—Yes.

509. If the declaration of the poll in ordinary times would not be until 12 o'clock, that excitement could not be prolonged on account of the drinking and so on, in consequence of the declaration of the poll not taking place until a much later hour?—No.

510. It struck me that it would be much more likely to allay the excitement during the night if it were known that there could not be any declaration until the next day, than if they were kept until midnight waiting for the declaration of the poll?—Yes, but I believe there is very great difficulty and dissatisfaction in these matters.

Mr. Barran.

511. Would not a change of this kind very much increase the labours of the police force?—I think it would.

Dr. Cameron.

512. You stated, as I understood, that it is not infrequent in Leeds for large employers of labour to grant facilities to their men for recording their votes; in what particular industries would that be the case?—In the various industries that are carried on in Leeds.

513. Could you give an example which has come under your immediate knowledge?—I know several employers in the leather trade, and in the timber trade, and iron trade, who do so.

514. Do those employers make special arrangements for their men to go and vote?—If the workmen were to come to them, and say that they wanted to record their votes, they would let them go and do it.

515. You say that examples of this have come under your notice?—I know a good many large employers of labour myself who have told me this at election time.

Dr. Cameron—continued.

516. Would you mind giving the details. I ask you that, because in the investigation of last year we found a very considerable amount of difficulty in arriving at any details on those general statements, and probably you would give us instances in each of the trades that you have mentioned, so that we might be able to see whether that information was to be relied upon?—I could not do so positively. I can only tell you that I mentioned to a friend of mine, a large employer, that I was coming here to attend the summons, and he is one of the largest men in the timber trade, Mr. Brown, of Leeds.

517. How many men does he employ?—I do not know, but a good many.

518. The timber trade is not a trade in which one man's labour hangs so much upon another, as in some trades. Could you mention any mills, for instance, in which such facilities have been given?—I cannot say any myself. I do not know that I could speak just now to any in particular. If I were to think over the matter I dare say I could remember several conversations that I have had at different times with large employers of labour.

519. Could you name any iron works in which that is done?—No, I do not know that I could name any, particularly just now.

Mr. Burt.

520. One question arising out of a question put by the honourable Member for Nottingham; I understood you to say that no complaints have been made to you by working men, on account of their not having been able to record their votes in the present hours of polling. I should like to ask whether, in your official capacity, such complaints would be likely to reach you?—No, but if complaints were made at the polling stations, or if there were any excitement created at the polling stations, the fact that it was rendered physically impossible for a man to record his vote, I should think that that fact would be almost certain to come under my knowledge.

521. The difficulties arising from working men not being able to leave their employment is a matter which I presume would never reach you?—It would only reach me through the papers, and through conversation in the polling booths, and so on.

Mr.  
Henderson.  
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*Thursday, 30th May 1878.*

MEMBERS PRESENT:

Mr. Barran.  
Mr. Burt.  
Dr. Cameron.  
Mr. Halsey.  
Mr. Alfred Gathorne Hardy.  
Mr. Isaac.

Mr. Marten.  
Mr. Mills.  
Mr. Mundella.  
Sir Matthew White Ridley.  
Mr. Henry Samuelson.  
Mr. Tennant.

SIR MATTHEW WHITE RIDLEY, BART., IN THE CHAIR.

Mr. GEORGE SELLAR, called in; and Examined.

Mr. Sellar.  
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Chairman.

522. I BELIEVE you are the Sheriff Clerk of Lanarkshire?—I am.

523. And in that capacity you act as returning officer at Parliamentary elections, do you not? —I aid the returning officer in making his arrangements.

524. You are aware that this Committee is inquiring as to whether it is desirable, and, if desirable, practicable, to extend the hours of polling at the Parliamentary and municipal elections in boroughs other than the metropolis; have you formed any opinion as to that point? —If a case should be made out for an extension of the hours of polling, there is no impracticability about it; it will only require a little extra expense, and perhaps delay the declaration of the poll for a short time.

525. Do you consider that there would be much addition to the expense caused by the prolongation of the hours?—In a city like Glasgow, I think 500*l.* would cover the extra expense for a Parliamentary election; and that, divided amongst five or six candidates, would not be a large addition to the amount.

526. That is contemplating an extension of the poll to a similar hour to that to which it is now extended in the metropolis?—Yes.

527. Does your estimate of 500*l.* include also the extra expense which would be entailed by having the declaration of the poll always on the ensuing day instead of on the same night? —Yes.

528. What has been your practice, generally, at Glasgow with regard to the declaration of the poll?—At the last general election we declared the poll at 12 o'clock on the night of the polling day, within eight hours of the close of the poll.

529. What is the number of electors at Glasgow?—At the general election of 1874 the number on the register was 54,374; of these 40,446 went to the poll.

530. I will ask you a question about that presently; but in the meanwhile, leaving the question of the desirability of extension for a moment, I will ask you another question or two about the practicability of it. From your knowledge of Glasgow and of the habits of the population there, do you consider that there would be any danger to the public peace or to the purity of election

Chairman—continued.

caused by the election being conducted in the dark hours in winter between the hours of four and eight?—I do not think so, if proper precautions were taken.

531. You have a school board election in Glasgow, I presume?—Yes, we have had two school board elections.

532. What are the hours at Glasgow?—The school board election is conducted in Glasgow under the Ballot Act during the same hours, from eight o'clock till four o'clock.

533. Is the same option given to the authorities in Scotland as there is in England in reference to the hours during which the polling-booths are open at school board elections?—Not as regards burghs. The Ballot Act was applied to school board elections in burghs, or in other words it was prescribed that in burghs the polling at school board elections should be taken in the same way as in municipal elections, which are conducted under the Ballot Act, and the hours of polling applicable to which are eight a.m. to four p.m., but, as regards school board elections in parishes, there was an option given.

534. But there is nothing in the Ballot Act which says anything about the hours of polling? —No, it was the old law.

535. Then for the school board elections at Glasgow the hours are the same as at the Parliamentary elections?—They are.

536. And you see no objection to the extension of the hours upon the ground of any rioting or disturbance that may be caused, nor do you see any fatal objection on the ground of expense? —No. Of course a crush at the last hour of the polling is more to be dreaded than a pressure at the beginning, but that can be provided against in those districts where the working men are in a majority, by putting on extra presiding officers, and so preventing a pressure.

537. Are the habits of the population of Glasgow at election times such that in a general way there is a great crush towards the end of the poll at four o'clock?—No, the practice is the same, I may say, under the Ballot Act as it was under the old system of open voting; that is to say, the warehousemen and clerks to a large extent come and vote before going to business, viz., between the hours of eight and ten in the morning; working men

*Chairman—continued.*

men come out at the meal hours, the breakfast hour, and the dinner hour; from three o'clock to four there are fewer votes polled than during any other hour of the eight.

538. During the dinner hour, which, I suppose, is from twelve to one, is there much of a rush?—There is a little from one o'clock till three.

539. There is a great pressure of voters then at the polling booths?—The pressure, I think, during the first two hours is greater than during the dinner hour.

540. Is the area of the City of Glasgow of very wide extent?—No, Glasgow is very compactly built; more so than most large cities.

541. Then, as a rule, do the voters of the working class live at a considerable distance from the places where they work?—Yes, in some cases they do; not to the same extent perhaps as in London; but anyone can see that it is so by looking at the cars in the streets in the afternoon. We have men working at the west end of the city on the Clyde living at the east end, at a district called Calton, and sometimes they may be two miles off or more.

542. So that in some cases your view would be that a working man might have to go as far almost as two miles during the time that he has for his dinner to record his vote; is that so?—I have no doubt that that is so.

543. Does that exist to any considerable extent?—That is a kind of information that does not come to me so readily; I only see the people that come to the poll; but you will have witnesses to speak more directly to that.

544. With regard to your personal knowledge, have any complaints on anything like a large scale reached you as to the working men being practically disfranchised by the present hours?—I should not expect any complaint to come to the returning officer, because he has no means of giving any redress; he must take the hours as the law has fixed them.

545. But has it come within your personal knowledge that such a feeling prevails generally?—I am not competent to give an opinion as to that; but I have seen in the newspapers that meetings have been held at which working men have taken exception to the hours.

546. I understand you to say that, at the election of 1874, 40,446 persons recorded their votes out of a strength of 54,374 on the register?—Yes.

547. So far as you know, does that compare favourably with the proportion of voters that generally vote in other boroughs?—That is equal to a little over 74 per cent. of the roll; it is a pretty high ratio of voting; but we had an example in South Lanark higher than that.

548. But, so far as it goes, in your opinion, that is a high per-centage?—Yes, much above the school board voting; it is a pretty full poll.

549. Have you formed any opinion at all as to what proportion of voters are prevented from coming to the poll by the present hours?—I am not able to speak as to that.

550. You speak only as to the general opinion which, from seeing it in newspapers and from other channels of information, you gather exists, that it would be convenient to the working classes at all events to extend the hours?—Yes.

551. But you also say that you do not see any

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*Chairman—continued*

serious objections to extending the hours if it should be considered desirable to do so?—Quite so.

552. But you cannot give the Committee any positive information as to any number of persons who you think have been prevented from voting, and you do not come to tell us that there has been any great pressure during the hours of polling which has prevented persons who were desirous of recording their votes from doing so?—There is a pressure in the morning. I do not know how far that may drive away voters. A man may come at the breakfast hour, and see a crowd at the poll, and perhaps he might go away, and not come back; but I do not know that.

*Mr. Henry Samuelson.*

553. Do you think that lengthening the hours would decrease the pressure at the booths on the polling day?—In a mixed district it would; I mean a district where the voters are of a mixed class. If, however, it were a district where the great bulk of the voters consisted of working men, then I would expect a pressure between six o'clock and eight; but that could be provided against.

554. Do you think that there would be the same inconvenience of a final rush under the extended hours?—There is no final rush at present between three o'clock and four, but there might be a little pressure with the extended hours in a district where working men were in the majority.

555. If the Committee were to decide to recommend an extension of the hours of polling, what extension would you advise?—The same hours as were recommended for London. No other extension would be of any value.

556. You do not think that it would be so convenient to commence at six a.m. and to close the poll at six p.m.?—No.

557. Do you think that there would be any danger of rioting in the hours after dark if the hours were extended?—Not in a place like Glasgow. Of course a returning officer would take care to prevent a pressure in particular polling places, where voters in large numbers might be expected to come late, if he made a proper arrangement.

558. How would you manage about your clerks if the hours were extended; would you require to have a greater number of clerks employed?—No; but we should require, perhaps, in some districts, at first, and until the thing had been properly tested, an additional number of presiding officers and clerks.

559. You think that the same clerks would be able to work from eight a.m. to eight p.m., who now work from eight a.m. to four p.m., without inconvenience being caused by their weariness or inattention?—Yes, it is only for one day.

560. You would not be an advocate of a relay of clerks coming on at any part of the day?—No.

561. Should you think that a relay of clerks being admitted to the booth at any given hour of the day would be liable to cause an infringement of the secrecy of the ballot?—I do not know that it would; but it would be an arrangement that a returning officer would not like; he would prefer to have a full muster of his men in the morning, and no break until the polling had been finished.

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562. In

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Mr. Henry Samuelson—continued.

562. In any case you would like the hours to be consecutive?—Yes.

Mr. Barran.

563. How many clerks do you require to conduct a Parliamentary election?—At the last Parliamentary election we had two clerks to each presiding officer. Experience has shown that if they are well chosen, one may do for each presiding officer. We had 121 presiding officers at last Parliamentary election, and about double that number of clerks. We had 234 clerks.

Chairman.

564. How many polling places have you?—A little under 121. We had to keep a few presiding officers and clerks in reserve in case of illness.

Mr. Barran.

565. I suppose you have several polling places in the same room?—Yes, several polling stations at the same polling place.

566. How many clerks would it take to count up the votes, supposing the declaration of the poll to be deferred until the following day, that is within a reasonable time?—At the last Parliamentary election in Glasgow we had 141 counters, and the poll was declared at twelve o'clock of the same night. It closed at four o'clock. It was about six o'clock before we got a proper start, and the counting was done in six hours. From the experience that we had then, I would reduce the number, but I would be still more careful about the selection. I think that about 80 clerks would declare the poll in Glasgow by ten o'clock at night, if the hours were not extended.

567. Under existing circumstances you think that 80 well-selected clerks could do the work efficiently and get it done within the time that you name?—Yes.

Dr. Cameron.

568. The Chairman asked you sundry questions as to whether there was any evidence of a desire on the part of working men to have the hours extended. I take it that you have not come prepared to give any evidence on that point?—No.

569. From your position you are not connected with either political party, but you are perfectly neutral?—Quite so; whether there is need for any extension of the polling hours, or not, is more a question for political agents or canvassers of parties engaged in organising working men's societies, or such like.

570. As regards your experience you had, I suppose, practically to make the arrangements for the last election?—Yes.

571. And you think that your experience would enable you to make arrangements for a future election on a more economical scale?—I think so.

572. Will you tell the Committee what was the amount of the official expenses at the last election?—£. 2,482. 14 s. 7 d.

573. You have mentioned that you could introduce sundry economies; what do you think that you could do the election for now?—Should the same system be continued with the same hours of polling and the constituency not much enlarged (it is increasing a little), it might be done for 2,000 l.

Dr. Cameron—continued.

574. But, of course the extension of the hours of polling would increase the expense?—Yes.

575. To what amount do you think it would increase it?—I should think about 500 l.

576. There cannot be a contested election without at least four candidates?—That is so.

577. Therefore you would not anticipate an additional cost of more than 100 l. or 150 l. per candidate?—Quite so.

578. The Chairman put to you some questions as to whether you apprehended any danger to purity of election as the result of this extension; I suppose you have never heard any hint as to there being any impurity of election in Glasgow?—Never.

579. I ask that question, not as implying that Glasgow is more pure than any other town, but simply because, in a large town like Glasgow, I suppose bribery would be practically useless?—Quite so.

580. You said, in answer to the Chairman, that many men would require to go backwards and forwards two miles to record their votes?—I think that that is likely.

581. Is it not a fact that many men would require to go very much longer distances; those, for instance, who are employed in shipbuilding yards down the river?—I would be quite ready to believe that that may be the case.

582. You have, I believe, prepared a table showing the cost of the various elections and giving various particulars about them; would you please put that in?—Yes. (*The same was delivered in.*)

Mr. Burt.

583. With the extended hours as proposed, do you think that it would be possible in a city like Glasgow to have the poll declared on the same day that the contest takes place?—It would take us into the middle of the night before it could be done, I think.

584. Would any great inconvenience arise from the declaration of the poll being postponed until the following day?—No; but every one is anxious to hear the result.

585. Beyond the natural anxiety to know the result, no other inconvenience would arise, I presume?—No.

586. When was the result of the school board election declared on the last occasion?—About seven o'clock on the following morning; it was worked at all night.

Mr. Alfred Gathorne Hardy.

587. You said that there would be no other inconvenience than the delay in declaring the poll on the next day; of course it would largely increase the expense, would it not?—We must pay for the counting, whether we do it during the night or the next day.

588. The committee rooms, and so on, would have to be kept for a day longer, and all the agents would have to be engaged for a day longer, would they not?—There is not much to be done after the voting is over.

589. You would qualify your answer to that extent, at any rate, that it would increase the expense naturally, and also, I suppose, it would keep up the excitement to some extent in the town?—Yes.

590. And, assuming that there was no great demand for it, that you would admit to be an inconvenience?—Yes, to that extent.

591. You

*Mr. Alfred Gathorne Hardy*—continued.

591. You said also that there would be no danger of rioting, if proper precautions were taken; supposing that there was any great excitement in the dark hours between six and eight (I will not speak of Glasgow in particular, as you say that that is so respectable a place, and I have no doubt it is), that is the time when the work would have ceased, and when the workmen would be likely to come together in large numbers, is it not?—Of course my experience is connected with Glasgow, and a large city can swallow up and dilute a very big crowd.

592. Then you would suppose that just round about the polling places, and so on, there would be considerable crowds between those hours?—Under the Ballot Act there is not the same likelihood of that, because the crowd outside does not know what has been going on inside, whether the case has been going against it or not.

593. I do not think that you quite follow my question; what I mean is this: at the present moment the workmen are polling possibly during the hour of dinner, when they are very busy, and anxious to get away; and during the other parts of the day, if they do not get leave from their employer, they only get away for a very short time; if you extended the hours to eight o'clock the workmen who are gregarious would be likely to get together, would they not?—They would attend in larger bodies.

594. Cannot you imagine that there would be danger of rioting in the hours after dark?—It is a matter for consideration.

595. You admit practically that it would require additional precautions to those which you take at present?—Yes, to avoid a crush at the polling stations and to keep the crowds in order.

596. But I understood you to give that answer with reference to the danger of rioting; do you think that it would not require any additional precautions?—Elections have gone so quietly in my time that I do not anticipate much of that.

597. There is a rough element in Glasgow, is there not, as well as in other towns?—Yes, undoubtedly.

598. You will not say that even in the event of popular excitement there would be any danger of rioting with the extended hours?—It is an item for consideration in making a change.

*Mr. Marten.*

599. Was there much excitement at the general election in 1874?—No, it was a keenly conducted election, but there was no excitement in the form of riot.

600. How many other Parliamentary elections have taken place since the Ballot Act in Glasgow?—We have had two school board elections under the Ballot Act, but only one Parliamentary election.

601. How many years' experience have you had of Glasgow?—I have been connected with the sheriff clerk's department for about 29 years, and have been engaged more or less in all the Parliamentary elections during the time.

602. Do you remember any very great excitement in Glasgow at any Parliamentary election?—Not in my time.

603. With regard to the municipal elections, what is the time in Scotland for municipal elections?—Just the same time as for Parliamentary

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*Mr. Marten*—continued.

elections; the Ballot Act applies to municipal elections; that is to say, elections of town councillors and of police commissioners. In school board elections there is a specialty as regards parishes, but not as regards burghs.

604. School board elections are under the Education (Scotland) Act, 1872, I suppose?—Yes, I could read the rule as to parishes if it is of consequence.

605. I see that in Schedule B. of that Act it says that, "The election shall be held at such times and in such manner, and in accordance with such rules and directions, as the Scotch Education Department may, from time to time, by order prescribe;" have they prescribed any regulations with regard to the hours of election?—Yes, the Ballot Act, with the polling hours from eight to four, has been applied to burghs; with regard to parishes, different rules have been applied.

606. Will you read the rules with regard to Glasgow?—Glasgow is a burgh, and the Ballot Act was applied to Glasgow, with the hours from eight to four, or, in other words, it was provided that School Board elections in burghs should be conducted like municipal elections, so far as the taking of the poll was concerned.

607. Were regulations issued by the Scotch Education Department under Schedule B., Section 4, of the Education (Scotland) Act, 1872?—Yes.

608. Can you give me a reference to those regulations?—Rules were issued for the first school board election, and also for the second. They are not quite the same as regards parishes, but they are the same as regards burghs.

609. Was there any excitement at the school board elections?—Not in the form of rioting. There was a keen contest upon the religious question; every denomination had its candidates, one or more; but that was all.

610. Do you consider that the working classes take as much interest in a school board election as they do in a municipal election, or a Parliamentary election?—The figures that I have got would show that they do not.

611. I do not know that I can form an opinion from the figures; I see that in the Glasgow school board election of 1876, there were 112,897 on the roll, and, of those, 46,656 voted?—Yes.

612. The number of the persons on the roll for the school board election appear to be very much larger than for the Parliamentary election?—Yes.

613. And I suppose they include different classes of persons; do they include more of the working classes?—Yes. There are three reasons for the constituency being larger in the school board elections. In the first place there is a small piece of the municipality beyond the Parliamentary boundary; that is included in the school board area. Then the application of the poor rate clause to the Parliamentary constituency strikes off about 25,000 every year from the Parliamentary roll, who have not paid their poor rates at the time when the assessor makes up the roll. And in the school board roll females are included.

614. Then you consider that the figures given in the paper which you have handed in to the Committee, showing the number of persons on the roll of voters, and the number of persons who

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voted

*Mr. Saltar.*

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Mr. Sellar.

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Mr. Marten—continued.

voted at school board elections and Parliamentary elections, respectively, fairly indicate the proportion of interest shown by the constituency in respect of the two elections?—Yes; but to some extent want of opportunity may be included as well as want of interest..

615. Have you had any distinct complaints made to you, either as to school board elections or Parliamentary elections, as to the shortness of the hours?—No, because the complainant could get no remedy.

616. Do you keep any register of the number of persons who vote during the different hours of the day?—No, that is impossible under the Ballot Act.

617. You can tell me how many voted in an hour, can you not?—A particular presiding officer might see by his ballot book how many papers he had given away.

618. Then in giving us the results as to the pressure at different hours, you judge from your observation generally?—Just so.

Mr. Isaac.

619. Assuming that the polling hours were extended, how many more of the electors, do you think, would come to the poll?—I have no means of forming an estimate as to that.

620. You see that there is a number on the Parliamentary register of 54,374, and that out of that number in 1874, 40,446 polled, and about 14,000 did not poll; do you think that 10,000 of that 14,000, or a large number of them, would have come to the poll if they had been able to come between four and eight o'clock at night?—Not a very large number; 74 per cent. was, in the circumstances, a pretty full poll. We had an example in South Lanark, where the ratio of polling went up to a little over 85 per cent., and that was a very keenly contested election. I consider it a very striking example of a high ratio of polling. There, every available man was brought to the poll, and the hours of polling could have had little or no effect on the result.

621. From your experience of 29 years, do you consider that this extension of the hours of polling would be such an advantage as to do away with the risk of the disadvantages which might arise from it?—That just depends upon the strength of the case made out for extension. I am not possessed of that part of the case.

622. Do you think that it would be any advantage, particularly to Glasgow, to extend the hours?—I can only give the same answer.

Chairman.

623. I understand, in fact, that you give your opinion that if it is desirable, you, as having been a presiding officer, and having had experience of elections, do not see much difficulty in the way of carrying it out?—It is just a matter of expense and of a little delay.

624. But what do you say with regard to its desirability?—I can form no sound opinion because I am not possessed of the whole of the circumstances.

Mr. Henry Samuelson.

625. Did I correctly understand you to say that you now declare the state of the poll the same evening?—We did at the last Parliamentary election in Glasgow.

626. Did not people congregate in the streets and roads waiting for the declaration of the poll?

Mr. Henry Samuelson—continued.

—The polling papers were counted in the City Hall, and the poll was declared within the Hall. After the papers had been put away, a few members of the press were admitted, the result of the poll was declared, and it spread through the town after that.

627. Were the streets crowded?—Not to any great extent.

628. Do you commence counting immediately after the close of the poll?—Yes.

629. Should you be able to do so if the hours were extended?—We should require fresh men, and fresh men, and under any circumstances, are best for counting.

630. Do some of the same clerks remain to count the votes at present who have worked at the polling booths all day?—We had a few, but I resolved if I had the same thing to do again to get fresh men, whether the hours should be extended or not.

631. That alone would increase the expense at any future election, would it not?—No, because those who do the double work get double pay: it makes no difference.

Mr. Tennant.

632. You say that a great number of the electors of Glasgow reside at a considerable distance from their place of work?—I can see that, but I am not a good judge on that point.

633. Assuming that to be the fact, would you see any practical difficulty in giving those electors the option of voting in the ward where they carry on their work?—There is an impracticability about that. Each presiding officer must have his list made out previous to the poll of those who are to record their votes before him.

634. Of course; but I am assuming that the elector should declare beforehand when he is put on the register of voters the place where he intends to vote, and that he should not have the option on the day of election?—A working man may have to change his place of work or residence so suddenly that I do not think that that would meet the case.

635. But supposing that that option were given to the working man, it would get rid of the difficulty of his being unable to leave his work and to vote at the place where he lived, would it not?—Yes, if he knew at the time of enrolment that that would be the most convenient way for him to vote, but perhaps he could not tell at the time of enrolment.

Mr. Henry Samuelson.

636. Would it not be much more difficult in that case to detect personation?—I have never heard of personation, and under the Ballot Act we have had no agents attending, as a rule, in the polling stations, and no one could identify the voters.

Chairman.

637. Have you no personation agents?—We have agents, but not agents attending at every polling station.

638. Are there no personating agents attending on behalf of the candidates to form an opinion as to whether the right man is voting in a particular name?—Not at the last election.

Mr. Marten.

639. Did you take any precautions with a view to prevent personation at the last election?—No precaution can be taken in a case of that kind.

640. In

*Mr. Marten*—continued.

640. In fact, did you take or attempt to take any precautions against personation at the last Parliamentary election?—The presiding officer is not empowered to do any such thing.

*Mr. Halsey.*

641. But the candidates have power to have an agent for that purpose in each polling station, have they not?—Yes, but the thing is impracticable in a place like Glasgow where the constituency is so large, and where no one agent attending at a polling station could identify all the voters.

*Mr. Marten.*

642. Supposing that they had duplicate registers, one in the ward or particular locality of the residence of the voter, and another in some central position which would perhaps be more convenient for him if he was coming from his business, and that communication was kept up by telegraph between the two stations, so that it might be known if a vote had been given in one that it should not be given again, would there be any practical difficulty in that?—It would require great organisation to carry it out.

643. Would it require more organisation than having duplicate registers and duplicate establishments?—I think so.

*Mr. Henry Samuelson.*

644. Would not that require 40,446 telegrams if 40,446 people voted?—Yes, and as many answers.

*Dr. Cameron.*

645. But a very large number of the persons affected are working outside of Glasgow altogether, are they not?—I have no doubt of it.

646. And the majority of the persons affected, in fact, are outside of the Parliamentary burgh altogether?—In many cases, yes.

*Mr. Barran.*

647. Supposing that the electors were required to select the ward in which they would vote year by year, would not that cause very great confusion in making out the poll books?—Very great.

648. Would not a great many men in consequence of not having an opportunity to make their selection be likely to be disfranchised?—It might be that disfranchisement would follow.

649. Is it your opinion that the adoption of a mode of that kind would be likely to create a great deal of confusion amongst the working men?—I think so.

*Mr. Tennant.*

650. Why should it create more confusion than if a man changed his residence?—If a man changes his residence and has to vote in another ward he has to alter his name on the register; what more confusion could there be?—I do not think that the thing could be carried out. At present the assessor surveys the burgh once every year, and puts the voters on the poll of the ward where their qualifications are, that is in the case of a working man where his house is, and the assessor does this without any interference on the part of the voter.

651. Do you know as a fact that it is carried out in the counties of England?—We have it in the counties of Scotland to a small extent. A voter at the registration court may claim to be allowed to poll at a polling place different from

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*Mr. Tennant*—continued.

the proper polling place; but the privilege is not used to any great extent.

652. Is any great difficulty caused by that option being vested in an elector?—In South Lanark, I think, there were under 20 voters who exercised that option.

653. But still there could be no more confusion or complication in the one case than in the other?—It would be much greater. We have of course to transfer those names from their proper polling place to the selected polling place; and in a place like Glasgow, where there may be 100,000 voters, I think, the thing could not work.

*Mr. Barrow.*

654. You think it would really create a great deal of confusion?—I think so.

*Chairman.*

655. Speaking generally with reference to the working classes of Glasgow, do they change their residences more often or their places of working; take the case of the workmen engaged in ship-building on the Clyde, who are, I suppose, very numerous in Glasgow?—It is difficult to give an answer to that question. They have often to change their places of work when it is not, perhaps, convenient to change their places of residence. At one time houses for the working classes were scarce in Glasgow, and a working man would perhaps find it difficult to change his house when he changed his work.

656. Are there facilities in Glasgow when a workman changes his work from one place to another for his changing his place of abode also; or does he generally remain fixed in his old house?—I should say that ultimately he would change his residence to be nearer his work, if the work were of a permanent kind.

657. Then do you see any great difficulty in his being able also to change his place of polling; and must he not in any case in changing his place of residence put himself on the register again?—He must poll where his dwelling-house is in respect of which he is enrolled.

658. But I understand you to say that, to a great extent, at all events, the working man in Glasgow does change his place of residence to suit his place of work?—He will ultimately do so when he finds the work to be permanent, and the house inconvenient, and the assessor once a year in making up the roll of voters gives effect to changes of residence without being asked by the voters concerned in the changes.

659. A great many of the voters in Glasgow, I suppose, are in permanent employment?—I have no doubt that that is so.

660. With regard to those workmen, at all events, I fail to see exactly how any cause of complaint can arise in their case as to their being unable to vote, unless it be from the fact that it is at a considerable distance outside the Parliamentary burgh that their work is conducted?—In some cases that is so.

661. It would not meet the difficulty then in your view that they should be enabled to vote at the nearest polling-station within the Parliamentary burgh to their place of working?—No.

662. What sort of distance outside the Parliamentary burgh is it the custom for any large body of workmen as a rule to work?—There are ship-building yards a mile at least beyond the Parliamentary

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*Mr. Sellar.*

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Mr. Sellar.

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Chairman—continued.

mentary boundary ; some of them are farther down than that, I suppose ; but that is really a part of the case upon which I am not well qualified to speak.

Mr. Barran.

663. A man now votes in the district that is indicated in the poll book, the district where he resides ?—Yes.

664. So that if the poll book is not altered, he still votes in that district ?—Yes ; but the assessor once a year gives effect to changes.

Mr. ALEXANDER McCALL, called in ; and Examined.

Mr. McCall.

Chairman.

667. You are the Chief Constable of Glasgow ?—I am.

668. How long have you held that office ?—I have been Chief Constable for the last eight years.

669. Previously to that, had you any connection with the police force in Glasgow ?—For upwards of 20 years before that.

670. We may say that for upwards of 28 years you have been connected with the police force in Glasgow ?—That is so.

671. And in the course of that time you have been partly directly and partly indirectly responsible for order at many elections, both school board elections and Parliamentary elections ?—That is so. Any police arrangement, of course, to meet these elections have to be made by me for the occasion.

672. What is the area of Glasgow ?—Fully 9½ miles ; between 9½ and 10 miles.

673. We have heard the number of electors on the poll book ; about what is the population ?—The population is about 560,000 at the present time.

674. How many school board elections have there been since the passing of the Education Act ?—There have been two ; one in 1873, and the other in 1876, in the month of March.

675. Were they both in the month of March ?—Yes.

676. That is the month in which the school board elections are by Statute held in Scotland ?—That, is the month fixed, I think, by the Education Department.

677. We have got figures showing us the number of voters who polled upon those occasions ; have you any knowledge of any reasons why the poll appears to have been so small ; could you say that any number of voters have been prevented from voting, or does it arise from indifference, or from their being satisfied that their cause was winning, or anything else ?—I have not the slightest doubt that some have been prevented from voting through inability to attend during the hours of voting at the polling booth, and a large number again are indifferent to the privilege.

678. Of course we have nothing to do with indifference at the present moment, except in so far as it tends to produce the smallness of the poll ; you have reason to believe, you say, that certain voters have been prevented from voting at school board elections owing to the shortness of the hours ?—Yes ; the hours are from eight o'clock in the morning to four o'clock in the afternoon. A large number of men, go to their

Mr. Marten.

665. Can you tell me what proportion of the working classes in Glasgow live in Glasgow and go out beyond the limit of the Parliamentary burgh to work ?—I am not able to say.

666. Upon what are those men employed who generally go to work outside the Parliamentary burgh ?—All kinds of work. There are large engineering works, shipbuilding works, mining and almost every industry round about Glasgow, including house building.

Chairman—continued.

work, it may be about six, or from six to seven in the morning, and some before six even. They leave their homes in the morning, and they do not return to it until six or seven o'clock at night, perhaps working at a distance of three or four or five miles from their houses. They have not time at the meal hours to go the distance that lies between their work and the polling place.

679. Are you speaking now of cases within your own knowledge, or of cases which have been mentioned to you ?—It is general information, I should say, from knowing the city thoroughly, and from attending these polling places whilst the poll is being conducted ; and knowing that a great many men, living, in the east end of the city, and having to vote there, have to go away to the west end of the city, a distance of, perhaps, three-and-half or four miles, not returning to their houses until after their work is finished at night.

680. Do the observations which you make respecting school board elections extend also to the Parliamentary elections ?—They do. The city is divided into 16 wards for election purposes ; and in each of those wards there are polling places, some of them may be schools and others wooden erections put up in the streets for the time being. Those booths are divided into compartments for the poll sheriff and his clerks, every poll sheriff, having a certain number of electors allocated to him.

681. Is there any great pressure at any of the polling booths, within your knowledge, during any period of the day at Parliamentary elections which practically prevents persons from voting ?—No, I am not aware of anyone having been prevented from voting on account of pressure of that sort. The busiest hours of the day will probably be from one o'clock till three in the afternoon, and they will be also busy from eight o'clock till ten in the forenoon. Such people as merchants going to their business, and clerks and warehousemen, are likely to vote before going to their business at from nine to ten o'clock in the morning.

682. I understand you to say that there is nothing in the nature of a final rush of voters towards the end of the poll at four o'clock ?—No, that is not likely to occur while the hour for closing the poll remains at four o'clock.

683. Supposing that this extension which you no doubt have heard talked of, was recommended by the committee, and was carried into law, what objection would you see to it ?—I do not see any objection to it whatever. I do not think



*Chairman—continued.*

think we have any reason to suppose that the proceedings would be much more riotous than they are at the present time, supposing that the hours are extended.

684. Your elections in Glasgow have been of an orderly character?—They have always been orderly. Of course, before the Ballot Act came into operation, it was known pretty well almost every hour how the various candidates stood, and as it came to the close of the poll, there was a pretty lively interest evinced by the supporters of the various candidates; but nothing approaching to riot and disorder.

685. Now the supporters of the various parties have not any idea how they stand?—No.

686. Do you apprehend anything in the nature of a final rush or crowd between seven and eight o'clock, when it is conceivable at all events that a very large number of workmen will come at the same time to vote; have you considered whether it is possible that that might practically make such a crowd at the end of the time, that some might be disfranchised even under the new hours?—The probability is that a number of the working men who now vote between eight o'clock in the morning and four o'clock in the afternoon, would leave it over until after six o'clock, and would very likely make the busiest time from six to eight; but I do not think there would be anything to prevent arrangements being made to meet any emergency of that sort.

687. Practically, you do not think there would be a great crowd during that last hour or two, such as would prevent any persons from voting, either on the ground of their not being able to get in, or on the ground of any rioting?—No, I do not think so; each officer will have about 800 or 900 electors to attend to, and of those only 50 per cent. appear to vote; so that 400 or 500 names recorded in the course of 12 hours, would not be very great.

688. The per-centage appears to have been about 74 per cent. upon the last occasion?—At the school board election there were 112,897 voters on the register, and less than 50 per cent. voted.

689. But with relation to the last Parliamentary election, I think you will find that the per-centage is 74; and, of course, it is contemplated under this provision, that a larger number of voters will vote; in fact, that is the object?—Yes.

690. You would agree that it is a truism that the shorter the hours the better, provided the voters have a fair opportunity of exercising their power of voting?—Yes, that is so.

691. What do you say with regard to the continuance of excitement by postponing the declaration of the poll till the next day; do you entertain any objection upon that ground?—No.

692. Do you think that crowds, which naturally congregate in the streets on such an occasion as that, would quietly disperse homewards after the polling hours, and that you would not have any danger to the peace of the city?—I should not expect any danger on that account.

693. Nor any increase of drunkenness, if there be such a thing as drunkenness in Glasgow?—In any election, if there is any keenness about it, men are very apt to take a little more liquor than they would if they were just attending to their ordinary work, but I do not think it would be to any great excess.

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*Chairman—continued.*

694. At all events, would it or would it not be in excess of what may take place now when the poll is not declared, as I understand, until eight o'clock at night?—The result of a school board election would probably not be known till seven or eight o'clock the next morning, where there are so many electors.

695. I see that in one case it was three days before the result of a school board election was declared?—I am not aware of that; I can scarcely think it.

696. At the first election that was held in the year 1873 I see there were 15 seats and 39 candidates, and it was three days before the poll was declared; you do not recollect the facts connected with that election?—I do not; besides, it was the first election under the Ballot Act, and the arrangements were not so perfect as they were afterwards. The result of the next election was known at about seven o'clock in the morning.

697. Understand you to say that there has never been any rioting or disturbance in connection with any of the elections at Glasgow since you have been acquainted with them?—None.

698. And you do not see any such indications of rioting or malpractices during the darker hours (and it is sometimes rather dark towards four o'clock during the winter), as would lead you to expect anything of the kind if the hours were extended?—No, I would not expect any more than at four o'clock.

699. You do not say much, I suppose, in regard to the increase of expense?—The time of the officers and of their clerks would be extended.

700. But with regard to the police, I mean?—So far as the police are concerned, it would not add anything to the expense. It would be some extra time to the men, but they would just have to submit to that.

*Mr. Marten.*

701. Supposing that there was open voting, do you think there would be any increased risk of either drinking or public excitement if the poll was kept open up to eight o'clock in the evening?—If the position of the various candidates was known every hour as it used to be, of course there would be considerable excitement at the end of the time if the contest was keen.

702. Do you think that if the hours were extended from four o'clock in the afternoon till eight o'clock in the evening there would be a serious increase of excitement if the progress of the poll was known?—I should expect so; I should be more in favour of the extension of the hours until eight o'clock with the ballot than I should be with open voting.

703. Do you think there is much drinking going on now during the hours of polling?—No, I do not see any signs of it.

704. Do you think that with the ballot there would be a considerable increase of drinking if the poll continued open from four o'clock till eight?—There would be an increase of drinking, no doubt. The working men would be attending to that between six and eight, and they would very likely have some extra refreshment that day.

705. Do you think that it is likely that the working men, on leaving off their work, would congregate in the public-houses and in the neighbourhood of the poll and discuss the election, and drink

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drink during those hours until eight o'clock?—No, I should not expect that they would do that to any excess.

706. Do you consider that they would, to a certain extent, be likely to take more drink?—I have no doubt that many a man would take an extra glass of whiskey that evening, which he would not have taken had there not been any polling at all.

707. Do you think that there is any risk of corrupt practices being more likely to be resorted to during the winter time if the hours are prolonged?—I do not see how it could be; for there is no person in the polling booths but the poll sheriff and his clerks, and that would be the case supposing the hours were extended till eight o'clock.

708. Do you think there would be any risk of persons hanging back more towards the end of the poll, for the purpose of obtaining any bribe or being influenced improperly?—No, I should have no expectation of that sort.

Mr. Alfred Gatherne Hardy.

709. I suppose you would admit that, if the hours of voting were extended until eight o'clock, in all probability the great bulk of the working men voters would vote between six o'clock and eight?—Those working outside of the ward that they polled in would in all probability leave their voting over until after they came home from work, but those living and working in the ward I think would very likely exercise their vote at their meal hours as at present.

710. Do you not think that if they had only got their dinner hour to take their dinner and their pipe in, and if they had the opportunity of voting between six o'clock and eight, you would have the great bulk of them, even though working in the wards, voting between those hours?—I have no doubt that it would increase the number considerably.

711. You will not say that the great bulk of them would do so?—No.

712. Do you not think then that they would be very likely to congregate in large numbers in the streets and about the polling places?—Round about the polling box. That is to some extent always the case; and there would have to be a number of policemen there to prevent any disturbance, or any attempt at disturbance.

713. In fact you put it that it would require increased precautions?—Yes; I think probably you would require to have more police after six o'clock than would be necessary up to six o'clock; but just now if there is any keen contest for municipal purposes in any ward, I usually send extra men there for the last hour or hour-and-a-half of the poll.

714. Do you not think it extremely likely that there would be great pressure of voters during the last half hour?—It cannot go to any great extent, in my view, for this reason: that each sheriff has so many names, A, B, C, we will say, and all the names beginning with those letters go to that poll, sheriff, and then another one has the letters D, E, F.

715. Each presiding officer would have a certain number of the letters of the alphabet, but what would you say was the proportion of working men voters to the total number of voters in Glasgow?—It would be a mere guess on my part. It is not easy to define what a working man is now-a-days.

Mr. Alfred Gatherne Hardy—continued.

716. At any rate, the per-centage would be the same, roughly taking the average for each particular letter of the alphabet, of working men to others as it would be to the total amount; you say that one particular booth would have the letters A, B, C, another D, E, F, and so on; but that does not alter the position of things. If there are a large number of working men voting between six o'clock and eight, the proportion of them voting at each polling booth would be substantially the same, would it not?—Yes; if you suppose there to be 500 who vote at one booth, and all those 500, or the greater part of them, came in a rush between seven and eight o'clock, it would be difficult to meet the demand, but I do not see any reason to expect such a combination.

717. Is it not your experience that people are apt to put off until the last moment things that they are able to do?—No; with a certain class of electors it is the first thing they do in the morning.

718. But I am confining myself at present to the particular class of voters in whose interest this extension is asked for; do you not think they would be likely to procrastinate to the last moment, and so cause a pressure?—Those working at a distance from the polling station would, I believe, to a considerable extent, exercise their vote after six o'clock, when they quit work.

719. As I understand, you put it that you do not think there would be any serious danger of pressure, such as I have indicated?—No; I have no expectation that there would.

Mr. Halsey.

720. I suppose that if the hours were extended, although, as all the witnesses say, the people in Glasgow are very well behaved, still, you would feel it your duty as chief constable to take extra precautions against any rioting?—Undoubtedly, I should.

721. And if by any chance a riot did break out, and you had not taken those precautions, you would be liable to blame?—Certainly.

722. Do the working-men take a very keen interest on their own account in the elections, or have they to be much canvassed in Glasgow?—I have no doubt that there is sometimes very keen canvassing going on, and the men, in some instances, evince a good deal of interest in the elections.

723. Supposing that the hours were extended at the other end in the morning, would they be keen enough to get up a little earlier to vote?—I do not think that an extension in the morning would be of any advantage.

724. Which do you think they take most interest in, the Parliamentary elections or the school board elections?—The Parliamentary elections come so seldom, that I am beginning to lose mind of the particulars of those elections; but looking at the number of voters compared with the number of electors, it would appear that they evince most interest in the Parliamentary elections. At the last school board election, there was a very considerable interest taken in it; and, still, I see that less than 50 per cent. voted, although the interest was very keen.

725. I think the last witness told us that the area for the school board elections is not quite the same as it is for the Parliamentary elections?—The municipal and school board area is a little larger

*Mr. Halsey*—continued.

larger than the Parliamentary area. There are 2,542 electors more in the municipal burgh than there are in the Parliamentary burgh.

726. With the present hours of polling I suppose that if a man is very keen about voting he manages to give his vote?—If a man was very keen upon it, and was prepared to lose a portion of his wages, and perhaps get into difficulties with his employer, he would certainly be able to vote; but I do not know that a working man should be put to that test to exercise his privileges.

727. But a very large proportion do manage to vote under the present system?—Yes.

*Mr. Mills*.

728. You said that you did not think that an extension of the hours in the morning would be attended with any advantage; is that because you think the electors would not get out of bed a little earlier?—Unless you made it perhaps four or five o'clock in the morning at least it would be of no advantage, for this reason; that the working men are on their way to their work between five and six o'clock in the morning, and there are very few more men going about again from six to eight.

729. But, with the present arrangement of polling booths, would not there be a great many cases in which the polling booths would be very handy to a man's residence, so that he might vote on his way to his work in the morning?—If you opened the polling booths at five o'clock in the morning those men who are going a great distance to their work would be able to record their votes in passing.

730. But you think it would be of no use unless the poll was opened as early as five o'clock?—I do not think it would.

731. You said, in answer to the Chairman just now, that you did not think that the delay in not declaring the poll until the next morning would cause any additional risk of disturbance; now, I apprehend that it is uncertain whether the poll will be declared at night or the next morning in the case of contested elections?—There can be no doubt in either Parliamentary or school board elections about the result of the poll not being able to be declared until the next morning; unless you put on an immense number of hands to do the counting. With the municipal elections, again, the result of the poll might be known by 10 o'clock at night just now.

732. But at present is it known throughout the town that the declaration of the poll will not be made until the next day, or is it uncertain whether the result will be declared over night or the next morning?—It will be pretty well known that the people will not know the result of the poll until the next forenoon.

733. But would not the avoiding of the risk of disturbance in such a case depend very much upon its being universally known that the result of the poll would not be declared until the next morning; and, if that state of things did not exist, would you not have a great many people hanging about the place waiting for the declaration of the poll?—Undoubtedly, if there was a possibility of their hearing it, perhaps at one or two o'clock in the morning a great many would wait in the streets to hear the result; but when it is well known that they cannot hear it until the next forenoon, then it allays any excitement of that sort.

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*Mr. Mills*—continued.

734. Will the delaying of the declaration of the poll until the next morning, in your opinion, cause additional expense in the employment of clerks and others?—If you wish to ascertain the result of the voting, the earlier you wish to do that the greater the number of counters you need to employ.

735. Supposing that the declaration was made the next day, would the delay, in your judgment, make it more expensive than the poll being declared over night?—I do not think so.

736. You said, I think, in answer to the Chairman, that you did not think that the extension of hours now suggested would cause any additional expense; do you mean additional expense to the authorities of Glasgow?—To the police.

737. You did not mean to the candidates?—No.

738. Have you considered whether it would cause additional expense to the candidates?—No, I had not thought of that question; I referred to the police arrangements.

*Mr. Mundella*.

739. You have been asked whether opening the poll early in the morning would not meet the case in some respects; is it not the fact that in Glasgow your working men are employed mainly in ironworks, in mills under the Factory Acts, and in the building trade?—To a great extent that is so.

740. The ironworks and the mills are the chief sources of employment, are they not?—Yes; and then there are a great many masons and joiners.

741. Do they not begin work, as a rule, at six o'clock in the morning?—In the summer months they do.

742. The mills always commence at six summer and winter under the Factory Acts, do they not?—I think so.

743. That being so, those men have to be on their way to the mills between five and six o'clock, have they not?—The bells in Glasgow ring at half-past five o'clock as a kind of waking hour for the working men.

744. It would be necessary to open the poll sufficiently early for the men to vote before they go to work in the morning?—Yes.

745. Breakfast time is very brief, is it not?—Yes, from nine o'clock to ten; I think an hour is about the average; but a man may have to go a considerable distance from his mill to his house, even supposing that he is living in the same ward.

746. And the polling place may not be in the direction of his house?—It may not.

747. In the building trade and the iron trade it is very common, is it not, for men to walk three or four miles to their work in the morning, and to take their food for the day?—That is so; sometimes they take their food with them, and at some works there are places provided for them to have it warmed.

748. And they never leave the spot from the time when they arrive in the morning until they finish their work in the evening?—That is so.

749. Then they have to walk a distance home again to "clean themselves," as they call it, and then they would go to the poll, would they not?—Yes; the company working the tramway system with us are bound to run certain workmen's cars in the morning and in the evening, from the

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the east to the west, and from the north to the south.

750. Practically, then, it amounts to this: that a certain proportion of the working men could not possibly register their votes without either neglecting their work or making a considerable sacrifice?—I have no doubt that there are several thousands in Glasgow in that position.

751. You have been asked as to whether keeping the poll open later in the evening might not tend to facilitate corrupt practices; have you any apprehension about corrupt practices where there is such a large body of voters as we have in our large towns like Glasgow, and elsewhere?—In Glasgow I never heard of such a thing having taken place, or being supposed to be possible.

752. It is very difficult indeed under the ballot for anybody to resort to corrupt practices, and it is a very foolish sort of speculation to make, because nobody can tell what is the state of the poll?—Just so.

753. With regard to another point about which you have been asked, namely, as to people congregating in large numbers, I think you said that you did not apprehend any danger on that score?—No, I have no reason to do so.

754. And the reason is, that men do not come up now with their colours in their hats, declaring how they will vote, but they come up quietly to the poll?—Yes.

755. And at the most exciting election which you have had under the ballot you have had no disturbance?—No.

756. Everything goes off much more quietly and orderly than it did before the ballot?—Yes. Before, when it was known from hour to hour how the poll stood, a great many of the electors congregated about the polling place to hear an oration from the successful candidate and an apology from the defeated one.

757. And now all that has come to an end?—All that has come to an end.

758. The fact is that everybody waits quietly until the declaration of the poll?—Yes, until it is published in the newspapers.

Mr. *Isaac*.

759. How many elections have you had under the Ballot Act?—We have had one for municipal purposes every November since it passed. The municipal elections take place upon the first Tuesday in November. There have been two school board elections and one Parliamentary election.

Mr. *Mundella*.

760. Is there not much more excitement in these municipal and school board elections in the immediate neighbourhood of the polling places than there is in the Parliamentary elections?—I think, so far as I recollect the Parliamentary elections, it is very much the same all over. I do not think there is much difference.

Mr. *Burt*.

761. Have you heard any of those complaining of the present hours of polling suggest that the hours should be extended in the morning rather than in the evening?—No, I have never heard such a suggestion as that; in fact, I have never heard any one suggesting that the hour should be

Mr. *Burt*—continued.

extended from four till eight either; but, from observation, I am perfectly satisfied that a number of men who have the privilege of voting cannot exercise it under the present arrangement.

762. If it was generally known that the result of the poll would not be declared until the following day, do you not think that that would tend to induce people to go home more than even the existing system, where there is an uncertainty as to whether the poll will be declared the same night or the following day?—So far as the school board elections and the Parliamentary elections are concerned, there can be no doubt that the result of those elections cannot be known until the next morning. With regard to the municipal elections it is somewhat different, because there may be only two or three contested wards out of sixteen, and the counting of the votes for those two or three contested wards can be accomplished in the course of two or three hours; and it is pretty well known in those circumstances that the result of that municipal election will be known that night about 10 or 11 o'clock.

763. But if the Committee saw their way to recommend the extension of the hours of polling to 8 o'clock, and it was consequently known that the poll would not be declared until the next day, do you not think the tendency would be for people to go quietly home rather than to wait?—I think, if the law was such that the poll should not be declared for the following twelve hours or so, it would then, of course, be beyond doubt, and it would be no use for the people to expect any declaration before that time.

764. You were asked certain questions as to the tendency of the working men to procrastinate, and put off until the last hour or the last half hour the recording of their votes; do you think that the working men would have a greater tendency to procrastinate than other classes?—Not a bit; I think it would be very much the same with any class of people; they do it at the most convenient time to themselves, and the most convenient time for the working man would be after he had done his work.

Dr. *Cameron*.

765. You are responsible for the maintenance of the peace at Glasgow during elections, are you not?—I am.

766. I suppose, in brief, your opinion is that there would be no danger to the peace from an extension of the hours of polling?—I have not the slightest apprehension in that respect.

767. Of course you cannot mix yourself up in political questions?—No.

768. And you come here principally to speak upon that point?—Yes, I came here to give whatever information the Committee thought was required.

769. I asked you if you would prepare yourself to give the distances of various places where the working classes are employed out of Glasgow; have you done so?—I have a general knowledge. From the east end of the city to the west end it will be a distance of about four and a quarter miles, and about the same from north to south; a great number of men live in the east end, and go to work in the west end, and some of them go beyond the city; a man living in the west end of the city may go perhaps a mile

*Dr. Cameron—continued.*

a mile or a mile and a half out of the city westward, where the principal shipbuilding yards are; then, of course, if men are employed in house-building and carpentering, the buildings are going on all round the city, outside of it as well as inside of it.

770. The great majority of the working classes live at the east and north-east parts of the city, do they not?—A large number of them live in the east end, but they are spread all over the city. In the west end there are perhaps fewer working men than in the other portions of the city.

771. Some of those go long distances to their work, do they not?—They go down to Whiteinch, a distance of more than two miles beyond the west of the city.

772. Probably five or six miles from their homes?—Yes; and some will go to Govan, which is on the other side of the river altogether.

773. That will be also several miles from their homes?—Yes.

774. Some of the shipbuilding yards are at a very considerable distance down the river, are they not?—I should say that one very large shipbuilding yard would be at least three miles from the western extremity of the city, and most of the men employed there I think would live in Glasgow; I refer to Thompson's shipbuilding yard.

775. That is a very large yard, is it not?—Yes; there are sometimes as many as 5,000 men employed there, and at one time they used to run a little steamer from the works up to the Broomielaw for their workmen.

776. They did not arrange for their workmen to go home to their meals?—I think they have a dining-hall in the works, and they have built some houses near their works for the accommodation of their men.

777. But there are other shipbuilding yards even further down the river, are there not?—Yes; but those men working there are more likely not to go so far as to come into the city to live.

778. But is there not a steamer run in connection with that work, to and from?—I do not know that.

*Mr. Tennant.*

779. Do the employers of labour in Glasgow, as a rule, afford facilities to their workpeople to go and vote?—I cannot speak upon that subject. I have never heard any complaint that they did not give them that liberty, nor have I heard it said that they do.

780. At what hours of the day do the working men generally vote in Glasgow?—From one o'clock to three, which are the meal hours.

781. Would they require leave to do that?—Not if the man could vote within his hour allowed for meals.

782. Are there a very great proportion of the working men of Glasgow living at considerable distances from their place of work?—A very large number.

783. What proportion should you think were unable to record their votes?—I could not form any notion of that.

784. Did I correctly understand you to say that you have heard no complaints from working men or others of their inability to vote?—I have not; in fact I am not the person that they would be likely to come to to make any complaint of that sort.

785. I understood you to say, in answer to one

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*Mr. Tennant—continued.*

honourable Member, that there was no excitement in Glasgow to know the state of the poll, but that they were satisfied to wait until it appeared in the newspapers?—There is an anxiety, you might say; I would not call it an excitement in the way of having any kind of riotous tendency at all. Of course those who are canvassing for a candidate, and their friends, are all anxious and excited to hear whether their friend is going to be successful.

786. But do they congregate round the town-hall, or wherever it is, where the votes are counted?—When the result of a Parliamentary election is declared by the sheriff, that is done from the county buildings, and generally there is a large number collected there to hear the declaration of the poll.

783. Would that be so if it were the middle of the night?—I do not think that it would to the same extent.

788. At what hour now is the declaration of the poll in a Parliamentary election?—It is generally about three o'clock in the afternoon. I am perhaps thinking of the previous election.

789. I suppose they did not begin to count until the next day?—No.

*Mr. Barran.*

790. You have been asked several times whether there would not be danger of crowding during the last hour, if the hours of polling were extended to eight o'clock; are you aware that the number is fixed at the present time at 150 for each polling place where the elector can mark his paper?—I am not aware of that.

791. Supposing it to be fixed, which is the fact, at 150, would you consider that there would be any danger of 150 people having to vote, if even they had to do it, in the last two hours?—I should think not.

*Mr. Henry Samuelson.*

792. Have you ever heard anything about personation in Glasgow?—I never heard of such a thing.

793. With regard to drinking, which the honourable Member for Canterbury asked you about, you would be of opinion, I suppose, that a man who would be likely to take too much to drink if the hours of polling were extended from four to eight, would be just as likely to take too much drink now?—The working man is not there as a rule during the last two hours of the polling.

794. When he comes out from his work he is just as likely to go with a friend and drink to the health of the candidate now as he would be afterwards, if the hours of polling were extended, I suppose?—No, I think not.

*Chairman.*

795. Supposing that in a borough the progress of an election was known, would you then think that it would be advisable to extend the hours of polling?—I would have much more hesitation in advising it, if that was the case, than I have now with the ballot.

796. But your knowledge is that in Glasgow, and you would say probably in any large constituency of that kind, the progress of the poll must practically remain unknown?—Yes.

797. But in boroughs at all events, where the progress of the election was known, or if the astuteness of election agents discovered some

means

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means of ascertaining how the poll was going on, you would be opposed to any such extension?—I should have some hesitation in recommending the extension of the hours of polling if that was the case.

Mr. Marten.

798. The honourable Member for Leeds asked you a question with regard to the Ballot Act, with reference to the provision that there shall be at least one compartment for every 150 electors entitled to vote at the polling station; I suppose that you might have a polling station with 12 or 15 different compartments?—We have that now.

799. Therefore that would involve a great many more than 150 persons to vote at one particular station?—Yes; I thought that about 900 was the number to each officer, and then he had a staff of clerks to meet that number.

800. Take the case of there being 900 or 1,000 people to vote; supposing that the bulk of those were working men, and that they voted between

Mr. Marten—continued.

six and eight or seven and eight o'clock, would that be a risk, do you think, of crowding towards the last portion of the polling?—If there was any combination it could be done.

801. Do you think that you would require extra arrangements, either for preserving the peace or for enabling the voters to have their votes taken?—We might; but, of course, the authorities having charge of it are likely to know whether there is any exciting cause before the election comes on, and provision should be made to meet it.

Mr. Barran.

802. Is it not a fact that in every polling booth the number of polling clerks is in proportion to the number of places for marking the voting papers?—My notion is this: each poll sheriff has about 900 electors upon his roll, and how many clerks he may have to assist him in taking their votes I do not know.

803. But he has clerks in proportion to the numbers?—I should expect so.

Mr. DUNCAN KENNEDY, called in; and Examined.

Chairman.

Mr.  
Kennedy.

804. You are the Secretary of the Glasgow Trades Council?—Yes.

805. What number of members do you represent?—We represent 52 different trades and branches of trades; in the aggregate, between 40,000 and 50,000 working men.

806. Could you give us any idea of the proportion of those members whom you represent who are electors?—I should say that the great majority of them are electors.

807. Therefore, seeing that the number of voters in Glasgow is 62,000, you come here to represent the great majority of the electors of Glasgow?—Of the working men of Glasgow.

808. Of the electors absolutely; what do you say with regard to the extension of the hours of polling; is it within your knowledge that those whom you represent are many of them unable to give their votes, owing to the present hours?—I may say that, so far as the trades council is concerned, there is a very general consensus of opinion of the working men upon the question. It has always been a very important question with them; in fact, every year since the lowering of the franchise, it has been one of the most important questions put to the members when they were addressing their constituents. We feel very much upon the question that a large proportion of working men are almost practically disfranchised under the present limited hours.

809. Have the trades council considered a means of obviating this; whether by an increase in the number of polling places, by placing the names on a register, by the extension of the hours, or by what other means?—The only means which we would suggest is that the hours ought to be extended until eight p.m.

810. I gather from that answer that you would not be of opinion that any opening of the poll earlier would meet your difficulty?—I do not think so, in the case of Glasgow, at least.

811. Do a large proportion of the members of your council go a long way to their work?—Yes, I should say a very large proportion of them.

812. Is it generally the custom that you re-

Chairman—continued.

main in your own homes when you change your work, or is it the custom in Glasgow for the working men to change their abodes when they change their work?—They change their work much oftener than they change their abodes, because it is not always suitable for a working man to remove from his house, whereas many times he is under circumstances which compel him to remove his work.

813. Supposing that a further option was given to a working man to elect at what polling booth he would give his vote, he doing that each year when the register was made up, according to your view of the case, that would not get out of the difficulty?—No, I do not think so, because so many of them work outside the boundary of the city, the city has extended so much; and with regard to the building trades especially, any arrangement which you might make would almost debar the members of the building trade from voting.

814. What are the principal trades in Glasgow?—In the building trade there are from 16,000 to 20,000 men employed, who are very much affected by the present limited hours of polling.

815. Is that 16,000 or 20,000 out of the 50,000 that you represent in your trades council?—There are some of those that I have mentioned who are not represented on the trades council; I am taking the whole building trade.

816. What are the general hours of work?—The general hours of work are from six to five, in some cases from six to six; but in cases where they have a long way to travel to their work, it is practically from five o'clock in the morning, and in some cases earlier, to seven o'clock at night.

817. A man in that case would have to leave his house about five o'clock, very generally in Glasgow, in order to get to his work?—Yes.

818. Both in summer and in winter?—No; in the building trade in winter time some of them do not begin their work until eight or nine o'clock in the morning.

819. Where



*Chairman—continued.*

819. Where light is absolutely necessary, and the use of artificial light is practically impossible?—Yes.

820. What are the usual dinner hours?—The usual dinner hour is from one o'clock to two, and in some cases from two to three.

821. But there is one hour allowed?—Yes.

822. At Parliamentary election times, is it the general custom for the employers to give any more time for voting?—I have not known it so.

823. Is it ever the case that the occasion of an election is made a general holiday in Glasgow?—Not to my knowledge; there are exceptional cases, I believe, where they get a holiday, but it is not by any means a general rule.

824. Would you go so far as to say that it was desirable, if it was suggested?—I do not think that it is desirable; I do not think that for the purpose of voting, a workman should be compelled to take a holiday; and another reason is, that it might, perhaps, lead to drunkenness, and so forth.

825. You have stated that a considerable proportion of the working men of Glasgow are unable to give their votes by reason of the present hours; we have it before us that at the last Parliamentary election of 1874, 40,446 voters voted out of a total number on the register of 54,000; have you formed any opinion as to how many more would have voted if the hours had been different?—I could not say; but I know that in canvassing at the time, I met with many objections, that parties were unable to come and vote owing to the distance. In some cases they were unable to lose the time, supposing that they had the facilities afforded them; and in other instances, through the peculiarity of their trade, they could not lose the time without entailing a loss upon others who were connected with them.

826. Supposing that the hours of polling were extended until eight o'clock, at what time do you think that the majority of the electors whom you specially represent would vote?—I think from five to eight.

827. Would it not, in practice, come to be rather later than that; would it not be the practice for men to come home from work, and get their tea, and change their things, and then go and vote?—Yes, in some cases; but in the majority of cases I think that where men can vote during the meal hours they would not postpone it until night.

828. You think that if a man could vote during the meal hours, he would do so?—Yes; it would be only the surplus voters, or those who cannot at present vote, who would vote after five o'clock.

829. You cannot give us any idea, can you, of the additional number that you think would vote?—Of course we have not had so much practice in Parliamentary elections; we have only had one Parliamentary election since the Ballot Act came into force; but in the ward to which I belong, I am secretary of the ward committee; it is solely, I may say, a working man's ward, and the constituency has been averaging from 3,700 up to about 4,000 voters; and yet to my knowledge, taking the last election, not nearly one-half of them voted. At the last contested election, when three candidates stood for one

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*Chairman—continued.*

seat, out of 3,762 voters only about 1,800 went to the poll.

830. I understand you to say that it is within your knowledge that the reason why so few voted was, because the hours were inconvenient to them?—Yes, just so. I found in canvassing that it was the general complaint that they could not in some cases, as I have already stated, afford the time, and in others it was quite impossible for them to get away to vote.

831. But in the case of Parliamentary elections, it seems that that difficulty has been to a great extent overcome, because the figures before us show that a very large proportion of the voters voted; 74 per cent. was a large proportion?—Yes; I believe that there is more interest taken in a Parliamentary election, but, as a rule, there is great interest taken in the municipal elections. I have taken the principal wards of the city where the working men reside; I find that in one of them, at the last contested election, where there was a constituency of 6,819, only 1,700 out of that number voted.

832. And in all those cases it is within your knowledge that the causes of non-voting were such as you have described, namely, the inconvenience of the hours?—Just so.

833. And of course we must allow something for comparative indifference, that is to say, municipal elections not being so keenly contested as a Parliamentary election?—Just so; the same interest is not taken.

834. Is there any other point upon which you would like to give evidence to the Committee?—As I have already stated, it has been a very important question with the trades council; and when the trades council of Glasgow learnt that your Honourable House had appointed a Committee to make inquiry into this subject, they thought that the best proof they could give of the electors wanting an extension of the hours was by getting up a petition; and although we have only had a very short time, I have here a petition which I am anxious to lay before the Committee, and which we wish our honourable Member, Dr. Cameron, to present to the House, which contains between 12,000 and 13,000 signatures of electors; 6,000 or 7,000 of those were collected in a few days by the delegates on the trades council amongst the workmen at their works quite spontaneously; and we are perfectly convinced that if we had had more time we could have got many more names.

835. Is there any time of the day, during the dinner hour we will say, at which there is too great a crowd at the polling booths when men who have come away from their dinner, and have got a little time to go and vote, have found it impossible to do so?—Yes; I have known instances where it was quite impossible; I have myself brought men over two miles in a cab, and after I brought them they could not vote, and they have had to go back as they came. I myself during the winter months, when I have to be at my work at nine o'clock in the morning, have had a long way to travel, and have been obliged to leave before eight o'clock, and I could not go and vote.

836. Did you make any complaint to the presiding officer?—No, because we thought we could get no redress.

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Mr. Henry Samuelson.

837. Are you well acquainted with the habits and wishes and desires of working men?—Naturally; I have mixed much amongst them.

838. Are you a working man yourself?—I am a working man.

839. What is your trade?—I am a painter.

840. What other trades besides that of the builders are represented upon your trades council?—We have all branches of the trades; you will find them represented here as 52 trades.

841. What proportion of the working men in Glasgow do you think live far from their work?—Very many of them; in the building trade, for instance, in which I should think there are from 16,000 to 20,000 men employed, perhaps you might be working at your own door to-day and be three miles distant to-morrow, as I have been many a time myself; in fact, I have been at work before breakfast at my own door, and at ten o'clock I have been two or three miles distant; you cannot say that you will be at one job perhaps a month at a time; you may be, and you may not.

Chairman.

842. And in the building trades it is the custom generally to take your dinner with you if you are going to a distance?—Just so; in fact, in the building trades they have to carry all their meals with them.

Mr. Henry Samuelson.

843. Is that the case in other trades?—No, except in the shipbuilding yards.

844. How long is given for breakfast?—An hour, generally.

845. What are the hours of the printers in Glasgow?—I do not know exactly; I understand that they work 54 hours a week, but I do not know exactly how they work it.

846. Is there any indisposition, as a rule, amongst the employers in Glasgow to give their men time to go and vote?—I cannot say; I know in two instances when I myself have gone to get men from their work they would not be allowed to come out.

847. And if a man went without leave he would risk the loss of his place, I suppose?—We did not get a chance to see the men, but we were told that the men could not get out.

Mr. Barran.

848. Is it a fact that in many instances, if men were allowed to leave their work in the middle of the day to go and record their votes, it would be a great inconvenience to the employers, and might be a loss of wages to the men who were working with them?—In very many cases it would be so. For instance, in the case of a plater in a ship-yard, who has two or three helpers with him, it would throw those men idle if he went to record his vote.

849. And that is so in other trades; for instance, painters and paper-hangers sometimes work in couples, do they not?—Yes.

850. And in consequence of the inconvenience that would arise from time to time if men had to leave their work, they are refused permission to go by their employers?—In many instances, in those trades you mention, I do not think they ask their employers, because they know that it is almost an impossibility for them to leave without throwing some one idle.

851. Was there much excitement at the last Parliamentary contest during the time of the

Mr. Barran—continued.

progress of the election?—There was during a portion of the time, but not a great excitement; the excitement cooled down very quickly.

852. Is it your impression that if the hours of polling were extended to eight o'clock, and if under those circumstances the declaration of the poll was postponed until the next day, the people would disperse that night earlier than they do under existing circumstances?—It is; I think that it would be a very great improvement upon the present system, because it is virtually after the poll is closed that the excitement takes place.

853. And they would not be likely to congregate so numerously the next day to hear the declaration of the poll as they would be to remain together the same night?—No, I do not think so; I think their enthusiasm would have cooled by the next morning.

Mr. Tennant.

854. Can you tell us what proportion of the working men did actually vote at the last Parliamentary election?—I cannot give you any exact proportion more than the figures of the municipal election that I have quoted.

855. You have given us two wards; can you give us the figures for the entire burgh?—No, I merely took the four wards where the working men principally reside, and I found that much less than half, and in some cases not one-third, of them voted.

856. Do you know what is the total number of working men who have votes in Glasgow?—I cannot say exactly the number, but I should fancy 30,000 or 40,000. I should think there would be 30,000, at any rate.

857. Could you form any idea of how many do vote now?—I cannot say how many vote at a Parliamentary election, but I know that very many are debarred from voting.

Dr. Cameron.

858. You refer to having had your attention directed to the result of the municipal elections in the chief working-class wards in the city; as I understand, the result of your looking into that matter was that you found that in those wards little over one-third of the voters recorded their votes, whereas, in other wards, fully half recorded theirs; is not that so?—Yes.

859. And this smaller proportion in these working men's wards you attribute not to any lack of interest, but to the physical difficulties in the way of their recording their votes?—Just so; and that is reported to the council by the delegates who reside in the different localities of the city.

860. An honourable Member has suggested that the difficulty might be got over by allowing the voters to choose some other locality than their own ward, where they might record their votes; do you believe that that plan would work at all?—I do not think so. It would not work with the building trades, especially in the case of Glasgow, where the city has extended so much outside the boundary.

861. Moreover, I suppose a man in the building trade may be working at one end of the city to-day, and at another to-morrow, without leaving his employ or his house?—Yes.

862. The Glasgow Trades Council is an institution that has nothing to do with politics, is it not?—It does not belong to any political party; it

*Dr. Cameron—continued.*

it is composed of all political parties; we have men of all shades of politics in it.

863. And it embraces Conservatives?—Yes; we have a good many of them.

864. I suppose there is no difference of opinion amongst you upon the desirability of extending the hours of polling?—No; we are quite unanimous, and have been so for many years upon the question of the extension of the hours of polling.

865. You have mentioned the large number of persons employed in the building trades; are there also a large number of persons employed in shipbuilding in Glasgow?—So far as I can gather from the statistics and from the returns which we have, there are about 25,000 employed in the shipbuilding trade who do not all live in Glasgow, but a very large per-centage of whom come to Glasgow in the evening, and some of whom are employed as far as six or seven miles down the river at Renfrew and Dalmuir.

866. I think in the case of Dalmuir a boat goes up and down every day, leaving Glasgow at five o'clock in the morning?—Yes; which the men have to pay for.

867. I think the question of the extension of the hours of polling has been constantly brought up before the Trades Council?—Constantly, every year.

868. And it is referred to in almost every one of their reports?—It is.

*Mr. Mundella.*

869. You have been asked whether the elections are not sometimes made general holidays; is it not the fact that most of the workmen employed in the iron trades, and in the building trades, and in the shipwright trades, and so on, are paid so much per hour?—Yes.

870. If there is a general holiday it comes entirely out of the workmen's pockets?—It comes entirely out of the workmen's pockets.

871. And that is the reason why they object to have holidays on polling-days?—Just so; and more than that, I have found that it is the unmistakeable opinion that working men claim it as a right to have every facility afforded them to exercise the franchise without having a holiday.

872. Then again, working men in almost all businesses work in sets; so that if a man is absent from his own work he is probably stopping somebody else; for instance, in a spinning mill a spinner has a number of people, women and children, dependent upon him, and if he is absent they are idle?—Yes.

873. That is true of other trades also, is it not?—Yes; for instance, in the case of the plasterers, who almost continually work in couples, it is impossible for one man to leave without throwing his neighbour out.

874. Then if the men take time for voting they have to make a personal sacrifice, and they have to sacrifice the interest of others as well, have they not?—They have.

875. And there is also of course a consequent waste of the steam-power and the appliances of their employer?—Yes.

876. Does not the sacrifice fall heaviest upon the most industrious and thrifty workman; he is the man, is he not, that generally objects to lose his time?—Yes.

877. The loafer, the indolent man, does not care so much about it?—As a rule I do not think

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*Mr. Mundella—continued.*

the loafers take much interest in the elections, any further than so far as a drink is concerned.

878. Therefore it is no loss to that class of man, but the loss falls heaviest upon the thrifty and industrious?—Just so. It is a gain to that class.

879. Then you were asked whether there was any indisposition on the part of the employers to give their workmen time to vote; that indisposition is quite natural, is it not, seeing the loss it entails upon them?—Quite natural.

880. You have been asked as to the number of working men in Glasgow; there is a very simple test as to that; what was the number of voters on the register before the extension of the franchise?—I could not exactly say just now.

881. You are satisfied in your own mind that an extension of the hours of polling until eight o'clock would practically meet the whole of the difficulties of the case?—I am convinced that it will.

882. And that then the working man will be perfectly free to exercise his right without loss to himself or without entailing loss upon other people?—Yes.

*Mr. Mills.*

883. I think you said that in respect of the building trades the hours of work did not in some cases begin until between eight and nine o'clock in the morning?—Yes, during the winter months.

884. Is that the case with reference to any other trade in Glasgow?—Not that I am aware of, except in the case of businesses in which men do not go out as a rule until nine o'clock in the morning regularly. For instance, we change our hours about the month of October, and the masons change theirs about November; and others again have a fixed period at which they change their hours.

885. I suppose that in those cases the persons engaged in these trades who do not go to work so early as the others, could avail themselves of the power of voting, supposing that the poll was open, say, at seven o'clock in the morning?—It would depend upon the distance that they had to go to their work.

886. But supposing that the place of polling was convenient to their residences, they would be able to vote if the poll opened at seven o'clock, would they not?—Yes, except that there would be more people at the poll at that hour.

887. I think you said that in the case of the municipal elections there were wards in which there were not more than one-third, and some wards in which there were not more than one-half, of the number of voters on the register who actually voted?—Yes.

888. Can you tell me how the School Board elections stand in comparison with the municipal elections in that respect, the qualification being the same, and the number upon the register of those who are qualified to vote at the School Board elections and municipal elections being the same; do you know whether there are more or less who vote at School Board elections than vote at municipal elections?—Many more vote at School Board elections; but a female has a vote at a School Board election in Scotland, and she has not at a municipal election. All householders have a vote at the School Board elections.

889. But that is the case in reference to School Board elections and municipal elections, is it not?—No, only at the School Board elections.

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Mr. Barran.

890. Is it a fact that women have not votes for the municipal elections in Scotland?—They have not that I am aware of.

Mr. Halsey.

891. Are the municipal elections in Glasgow usually political in their character?—Unfortunately they are.

892. I suppose the same people work them, as to canvassing and all that sort of thing, as would work a Parliamentary election?—In many instances.

Mr. Marten.

893. Have the working men who are represented by your council considered the question of the extra expense that would be occasioned by keeping open the poll until eight o'clock?—Yes, they have considered the question of expense, and that is the only difficulty that they see in the whole matter; but upon mature consideration, they think that so much benefit would accrue to the working men that the expense should be a secondary consideration.

894. Are they willing themselves to subscribe a proportionate part of the expense?—They are willing enough so far as the rate is concerned, I believe.

895. You heard the evidence given to-day, perhaps, by a gentleman who said that the extension of the hours of polling would entail an extra expense of about 500 £.—I did.

896. Have the members of your council considered that amount?—I do not know if they have considered what the amount would be, but they are undoubtedly aware that it would entail additional expenditure.

897. According to the estimate that has been made, it would entail additional expense, to the extent of increasing the expenses by about one-fifth?—I cannot say exactly what calculations they have made, but they are perfectly aware that it will entail additional expense; however, they think the benefit would be so great as to counterbalance the expense.

898. You take an active part, I presume, in elections?—I do.

899. During those times, I presume you are not engaged in your trade?—I am always engaged in my trade; I have invariably lost a day or so; but it is solely at my own expense that I have lost it.

900. Did you take an active part in the Parliamentary election of 1874?—I did.

901. And you take an active part in municipal elections?—I do.

902. And in School Board elections?—Not quite so much in them.

Mr. Isaac.

903. I think you said that you represent between 40,000 and 50,000 workmen here to-day?—Yes.

904. And that the greater proportion of that number were electors of Glasgow?—Yes.

905. That would lead the Committee to understand that over and above the persons whom you represent here to-day, there would not be more than about 14,000 electors?—I think that is a mistake.

906. I take it from your own words; you say that you represent from 40,000 to 50,000 men, and that nearly the whole of them are electors; and you only have 54,000 voters on the Parlia-

Mr. Isaac—continued.

mentary register?—I beg your pardon, I did not say that nearly the whole of them were electors; I said the great majority. The present electoral roll is about 62,000.

907. I think I understood you to say that you are secretary to a ward?—Yes, to the ward I reside in; the fourth ward.

908. What association is it that you are secretary of?—It is the committee appointed annually by the ratepayers to look after the interests of the ward, not for any party purpose at all.

909. It is not political?—No.

910. And you do a great deal of canvassing during the contest of an election?—I have done so, unfortunately for myself, in some cases.

911. So that you are speaking from very great experience in this matter?—Yes, since 1868.

912. And your impression is that the working men do not record their votes because they have not the opportunity of doing it during the working hours?—In very many cases.

13. Can you give the Committee any idea of what number of those men, beyond those who already poll, would poll if the hours of polling were extended to eight o'clock at night?—I can only say that if you take their promises very many of them would poll. For instance, in the ward where I reside many hundreds have said that they could not poll simply because they were unable to lose their time, or because their peculiar calling prevented them from leaving, supposing that they were willing to lose their time; and, in many instances, I know that that was a fact.

914. Have you ever rendered any assistance in the polling-booths at any time during these contests; have you been a clerk employed there to count the votes or to do anything of that kind?—No; I have been at the polling-booths, but I have never acted as clerk.

915. In what capacity were you there?—I have been just assisting in bringing voters to the poll on several occasions; I have acted in different positions. Last time I was one of the agents, but they declined to swear in more than two to each candidate in the ward, and I thought myself that it was an injustice, because to appoint two men between six or eight booths was not doing justice to the ratepayers, I consider.

916. You were appointed to that position from your post as secretary of the ward, I presume?—No, the ward committee take no interest as a committee in an election; they are solely there to look after the interests of the electors, but each party works for whoever he thinks best. They did not act as a committee then, but only as individuals.

Mr. Barran.

917. Is not that ward committee which you speak of really a ratepayers' defence association?—You may call it that if you choose; they are appointed at the annual meeting of the ratepayers to look after the interests of the ward.

Mr. Isaac.

918. The honourable Member for Sheffield asked you questions with reference to a great number of trades, men engaged in iron-works, masons, carpenters, and painters, and all those things; have you a personal knowledge of all the

Mr. Isaac—continued.

the establishments in which those people work?—I have, in the majority of cases; I have wrought in shipbuilding yards at painting, and I know from coming in contact with platers and rivetters that they cannot work without a helper; I know that a plasterer cannot work at a large wall without a helper, and in other cases if one man goes away the labourers are thrown idle I know; and in my own trade, in particular jobs, if one man went away another man would be thrown idle.

919. Is it not a fact that in most of the building trades more particularly, the men frequently leave their homes on Monday morning, and return on Saturday, when their employers have jobs far away from where they live?—Yes, it is, in many instances.

920. Would the extension of the hours of polling be any advantage to those men?—No, unless you made the election on Saturday afternoon, as the Birmingham Trades Council suggests.

Chairman.

921. You have had considerable experience as a canvasser, especially at municipal elections, I understand; and you have told us that when you ask a man for his vote, a very frequent answer that you get is, that the nature of his trade is such that he cannot come; is not that very often a very convenient answer for a man to give?—Yes, I know in some instances it is.

922. But over and above that, you know, from your own knowledge, that it is a *bond fide* reason which has substantially been given by a large number of men in Glasgow?—By many, in my own locality, where I reside, and where I know the persons individually.

923. But that reason is also, no doubt, given occasionally as a mere excuse, is it not?—Yes, I quite believe that many people make that excuse who have no intention to vote.

Mr. Henry Samuelson.

924. The interest that is taken in this question is shown by a paragraph in this report, I think, where the extension of the polling hours at municipal and Parliamentary elections is noted as one of the questions upon which a committee of the Trades Council consulted with the Members for the burgh; that was before this Committee was appointed?—Yes, and that has been so for a number of years.

Dr. Cameron.

925. An honourable Member asked you whether the Trades Council would be willing to subscribe to pay those expenses; is it not a fact that

Dr. Cameron—continued.

the Trades Council are in favour of throwing the whole of the official expenses upon the rates?—Yes.

926. You have acted as canvasser; but in all cases of Parliamentary elections, at all events, I think I am safe in saying that you did it purely from political convictions, and not as a paid canvasser?—I may say, that so far as both municipal elections and Parliamentary elections are concerned, I have never yet received a halfpenny for all the time I have lost, and I would scorn to take anything.

927. And, in point of fact, at the Parliamentary elections there was no paid canvasser?—None, to my knowledge.

Mr. Mundella.

928. You were asked by the honourable Member for Exeter whether, if the polling-place was open at 7 o'clock in the morning, it would not meet the case of the men in the building trade who do not go to work until eight or nine o'clock; it would only meet the case in winter, if the election fell in winter, would it not?—Yes.

929. And if the election fell in summer it would be no advantage?—No advantage whatever.

930. With respect to men who go out of town for a week and do not return until Saturday night, of course no extension of the hours of polling would meet their case?—No.

931. But that is no reason why the case of all the other men, who do not go away for the week, should not be met, is it?—No. As a rule when men go into the country it is in the summer, when the municipal elections do not take place.

932. If the extension of the hours of polling entailed an increased cost of 500 l. in Glasgow, do you think that such a plea as that would have any weight at all with the working men to lighten the rates to the extent of perhaps one farthing a head of the population once in four or five years?—I may say that the Trades Council no longer ago than last night, told me to put it before the Committee in no uncertain tone that they did not object to the expense; they hold that greater benefit would accrue to the working men than any additional expense that would be incurred.

933. And you have admitted that you are a man who takes a keen interest in elections on party grounds?—Yes.

934. A man is not worth much who does not, is he?—That is a matter of opinion.

Mr. Barran.

935. What is the annual rateable value of Glasgow?—I could not tell you that.

Mr. JOHN BATTERSBY, called in; and Examined.

Chairman.

936. You were at one time President of the same Society which has been represented before us to-day by Mr. Kennedy?—Yes.

937. How long ago was that?—About two years ago.

938. You still live in Glasgow?—Yes.

939. And you have a very intimate knowledge of the population of Glasgow, and of what are 0.109.

Chairman—continued.

the wishes of the working men upon this subject?—I think so.

940. You have heard the evidence that Mr. Kennedy has given before this Committee?—Yes.

941. Do you agree with the views that Mr. Kennedy has expressed?—Yes; I must say that in the main I agree with most of what he has stated.

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942. I gather from that that upon some points you differ from Mr. Kennedy; will you shortly say wherein you differ from him?—In regard to election times, I do not think there is the slightest disposition amongst the working classes to congregate, for instance, at the polling-booths. I have a perfect recollection of the elections of 1868 and 1874, and, more or less, I took an interest in those elections, and I do not remember observing any extra excitement on either of those occasions. My own impression is that, so far as their conduct is concerned, there is nothing to be apprehended; and, as for drinking, I am perfectly confident that I state the sentiments of a very large number of the working classes of Glasgow when I say that their feelings upon the subject of temperance are very strong.

943. No doubt; but at election times is it the custom for their feelings ever to be overcome; I am not meaning to imply that it is so; but, of course, one of the objects of our inquiry is to discover whether any dangers of that kind, such as an increase of drunkenness, might arise from an extension of the hours of polling; in your opinion, would there be any danger of that kind?—Speaking from experience, I have never observed any causes which would lead to such a result.

944. Generally, therefore, you agree with what Mr. Kennedy says, that it is the wish of a considerable number of the working men in Glasgow that the hours of polling should be extended to eight o'clock?—Yes. I may state that, so far as our own trade is concerned (I am a printer by trade), I know instances where men are debarred under the present system of polling from voting at all.

945. Must not that be the case to some extent in the printing trade whatever hours you fix; I suppose your hours vary very much?—Yes, on an evening daily paper, for instance, the men start work at seven o'clock in the morning, and only have an interval of half an hour between seven o'clock in the morning and four in the afternoon.

946. Then for that trade it would not be necessary to extend the hours of polling to eight o'clock at all events?—No, five o'clock would do for them; but, speaking generally, for the workmen with whom I have associated for many years, and whose views I have heard upon the question, I think it would be politic to extend the hours of polling to eight o'clock.

947. At the present time a considerable proportion of the votes are in your opinion unable to vote, because they cannot do so between eight o'clock and four?—I calculate that, from the fact of so many of them not exercising the privilege which has been conceded to them.

948. Have you looked at the figures of the last Parliamentary election, and can you say that 74 per cent. out of the total register is a small per-centage?—It is not a small per-centage, but yet I cannot account in any other way for the other 14,000 not recording their votes.

949. Is Glasgow different from other places; is it not the case that any ordinary election agent (and no doubt you must be familiar with such) will tell you that a very large per-centage must always be deducted from the register for various reasons?—It may be so, but I still incline to

Chairman—continued.

think that an opportunity, at all events, should be given to them of recording their votes.

950. You have other reasons beside those which you have given for believing that men are prevented from voting?—I have heard complaints made regarding the want of opportunity to vote.

951. Has it ever been the case that you yourself have been prevented from voting at a Parliamentary or municipal election on account of the hours?—No.

952. May I ask how long you have been on the register for Parliamentary and municipal elections?—Since 1868.

953. During that time how many contested elections have there been in your ward, and elections in which you have taken part by voting?—We have had the usual annual municipal elections, and the two general Parliamentary elections of 1868 and 1874.

954. But how many times have you exercised your franchise by voting during that time?—On every occasion when there was any requirement for it. I think there was only one occasion when a municipal election happened when there was no contest.

955. So far as the hours of polling are concerned, you, at all events, have nothing to complain of?—Personally I have nothing to complain of.

956. But you come here as having been the President of the Trades Council, the general feeling of which you know to be in favour of an extension of the hours of polling?—Yes. Personally I would put myself to a little inconvenience to vote, but my employment necessitates my being in town. And I know it to be the case that many other workmen are very far removed from the place where they have to record their votes. Of course that evidence has been laid before you already.

957. You agree generally with the evidence that has been given?—Yes.

958. Is there any other point upon which you to any extent disagree with Mr. Kennedy; I do not understand that there is much disagreement between you, he did not talk much about any excitement?—I did understand him to indicate something in that way; further than that I have no inclination to differ from him.

Mr. Marten.

959. Do you consider that the working population of Glasgow are a particularly sober population, or how would you describe them in regard to sobriety?—I think that, generally speaking, so far as I have been able to observe the working men, their general behaviour is very good.

960. How would you describe them in regard to sobriety; as sober, or accustomed to drinking, or likely to drink, or consuming a good deal of liquor, or what?—I think I might, fairly speaking of the working class population, with whom I have myself been identified, describe them as sober.

Mr. Tennant.

961. If the working men had the privilege of voting at the place where they carry on their work, instead of having to vote where they live, do you think that that would meet the difficulty at all?—It might, but I do not see how, under existing circumstances, that can be the case.

962. In what way?—In the building trades, for

*Mr. Tennant*—continued.

for instance ; as has been already stated, many of the men are at work in one place to-day and in another place to-morrow. It appears to me to be an insuperable difficulty to fix exactly the polling-places to suit the exigencies of trades.

963. That would apply only to the building trade, and to shifting trades?—Trades liable to shifting.

964. That is only the building trade?—Yes ; but there is a very large number of men connected with the building trade.

*Mr. Henry Samuelson*.

965. Do you not think in that case there would be much greater likelihood of personation

*Mr. Henry Samuelson*—continued.

taking place, where men came from all parts of the town to give their votes in a part of the town in which they did not reside, and in which they were not known?—I do not think so.

*Mr. Marten*.

966. Did you take an active part in the general election of 1874?—Yes, I did.

967. Were any precautions taken by either of the political parties with a view to prevent personation at that election?—None that I am aware of, because we had no reason to apprehend any personation.

968. Did any cases of personation come to your knowledge?—None.

*Mr.  
Battersby.*  
30 May  
1878.

*Monday, 3rd June 1878.*

MEMBERS PRESENT:

Mr. Barran.  
Mr. Burt.  
Dr. Cameron.  
Mr. Cotes,  
Sir William Cuninghame.  
Mr. Halsey.

Mr. Isaac.  
Mr. Alfred Gathorne Hardy.  
Mr. Mills.  
Mr. Mundella.  
Sir Matthew White Ridley.  
Mr. Henry Samuelson.

SIR MATTHEW WHITE RIDLEY, BART., IN THE CHAIR.

Mr. JOHN WILSON, called in; and Examined.

Mr. Wilson.

Chairman.

Chairman—continued.

3 June 1878.

969. You live at Sheffield, I believe?—Yes.

970. You are not here on behalf of any particular society or council at Sheffield, but on your own account to inform the Committee, from your own experience of the working of elections in Sheffield, as to the particular matters which are the subject of the inquiry before this Committee; that is to say, as to whether it is desirable, and, if desirable, practicable, to extend the hours of polling in large boroughs throughout the country as they have been this Session extended in the metropolis?—Yes.

971. How long have you taken a part in public matters in Sheffield?—Forty years.

972. Your experience, therefore, extends over the old system, and over the operation of the Ballot Act?—Yes.

973. I do not think for this purpose we need go back so far as 40 years; of course, since the extension of the franchise, the constituency of Sheffield has been enormously enlarged?—Yes.

974. Can you give us the number of the constituency?—There are 40,000 Parliamentary voters, and about 46,000 municipal voters, according to the return of our corporation handbook of last year.

975. The School Board constituency is about the same in extent as the municipal constituency, is it not?—Yes; we vote under the Municipal Act, I think, for the School Board.

976. The hours of polling at the School Board elections are from nine o'clock till four, are they not?—They are.

977. Are you aware whether they were originally so at the first election held under the Act of 1870?—I think the hours of polling at the School Board elections have always been from nine o'clock to four.

978. We have a return upon that subject, and we need not pursue it further; can you give us an idea of the size of the borough of Sheffield?—Its greatest length would be 11 miles, and its greatest breadth about seven miles.

979. Speaking generally, then, it may be described as a scattered constituency?—One part of it. There is what we call Upper Hallam Ward, which would comprise some 8,000 acres, and it is very sparsely populated, in fact, it has only 326

Parliamentary electors. The other portions of the borough are more densely populated.

980. With regard to the character of the constituency, is it the case that a great number of the working men go to their work in parts of the borough distant from their place of residence?—In the ward that I have the honour to represent in the town council it is so; that is Brightside Ward, which is essentially a manufacturing ward.

981. In that manufacturing ward a great many of the electors reside, but go to a considerable distance to their work?—Yes.

982. Can you give the Committee an idea of what sort of distance they have to go?—The tramways run down almost three miles, and they run daily, I believe, a workman's car night and morning; and we have others works from one end of Brightside to the other. From the extreme end, the Yorkshire Engine Works, it will be, I should think, four miles to the other end of Brightside Township, that is the Brightside Ward.

983. On the occasion of a Parliamentary election, what do you say about any large number of electors, or any number of electors, being prevented from recording their votes by the hours of polling which are at present prescribed by law?—In Brightside Ward perhaps this thing would be felt more than in most others. They are newer trades. In the old staple trades most people work by the piece, and their time is more at their disposal; but in the large works, where they have only an hour for dinner, it is utterly impossible for men to go and vote conveniently, and it leads to other evils.

984. Will you be good enough to tell the Committee what those evils are?—Open violations of the law in conveying voters to the poll in carriages.

985. That is to say, it is generally the case at an election in Sheffield that a large number of vehicles are used?—Mostly so. There are some candidates who will not make use of them.

986. I suppose it is often the case in boroughs that what is not done by the candidates is done by their friends?—By the man in the moon, they say. We all know that it is done.

987. In your opinion, would the extending of the



*Chairman—continued.*

the hours of polling tend to increase that violation of the law?—The restriction increases it.

988. There has been no restriction, as you are aware; the hours are the same as they were previously to the Ballot Act?—Just so; according to the present law.

989. Should you say that any large number of electors at Sheffield were prevented from voting at the last election by the limited hours?—I should think so, considering the strong feeling manifested, and the number that voted.

990. Can you give the numbers?—I can give you the numbers that voted in 1868 and 1874; one was taken under the Ballot, and the other not. In 1874, Mr. Roebuck polled 14,193 votes.

991. That is not what we want; will you kindly give us the total number of voters who voted out of the constituency, which you say is 40,000?—About three-fifths.

992. Do you say that absolutely not more than 20,000 voters voted?—There would be more than that number.

993. Was it within your knowledge the subject of frequent complaint that large numbers of electors were prevented from voting?—I have often heard them complain in the ward that I represent of the want of facilities for voting not only in Parliamentary elections, but in municipal elections, and in School Board elections too.

994. When the feeling is strong, either at the Parliamentary elections or at the municipal elections, do they as a rule overcome those difficulties, or is it made a frequent excuse, or is it the real reason for their not voting?—People who are active politicians will perhaps sacrifice their time in order to go and vote; but it is often to a man's disadvantage, and to that of his family afterwards.

995. But it is generally the case that the present hours do, in your opinion, and in the opinion of a large number of electors, practically throw serious difficulties in the way of men recording their votes?—Yes.

996. I suppose the principal voting, the great crush, is at the dinner hour?—From twelve to two.

997. Is it the case that men have often come up to vote, and that, owing to a great crush at that hour, or at that particular polling booth, they have been obliged to go back to their work without having the opportunity of voting?—I have seen that frequently.

998. You would agree with the witnesses who have given their evidence before, that it would not be possible to extend the hours of polling with any advantage to the electors by opening the poll earlier?—I think in that case the hours would be too early, earlier than the officials would like to be there. Most people go to work by seven o'clock in the morning.

999. Then any extension that you have contemplated has always been in the direction of extending the hours in the evening?—Yes.

1000. Would you agree also with the witnesses who have been examined here, that if you are to extend the hours in the evening, it is useless to extend them for any shorter period than up to eight o'clock?—I think that a great amount of the difficulty would be overcome by extending the hours to seven o'clock.

1001. So far as Sheffield is concerned, you think that would practically meet the difficulty?—Yes; there might be some few cases in which

*Chairman—continued.*

it would not be met, but I do not think they would be such as to merit special consideration.

1002. You would be of opinion that, provided that all the electors are fairly able to have an opportunity of recording their votes, the shorter the hours that the polling booths are open the better for all parties?—I would rather extend the hours in the evening; I think the poll opens at eight o'clock in the morning at Parliamentary elections; in Sheffield, practically, not many vote the first hour, unless on very special occasions.

1003. I will not pursue that subject further, but I will leave it to the other Members of the Committee to ask you questions upon it. Let us come now to the question of practicability; do you see any objections on the ground of any possible disorder, or of possible danger to the purity of election or expense, or do you see any other objection to the extension of the hours of polling?—Not since the adoption of the ballot.

1004. The adoption of the ballot has, in your opinion, prevented any such excitement during the dark hours as might lead to a disturbance of the public peace?—Quite so.

1005. I suppose you agree also that it would be impossible to have a declaration of the poll the same night?—Yes, I think it would be impossible.

1006. Would you think it an advantage, or the contrary, that the poll should be declared the next day?—I think that it would be an advantage under any circumstances; people would have to restrain their impatience a little, that would be all.

1007. You think probably they might go earlier to bed, and they might be content to get up the next morning to hear the result of the poll?—Very likely; and, where angry feelings have been excited, I think the wrath would have evaporated by the next day.

1008. I suppose that at Sheffield it is not possible that there should be any large number of voters who hang back until the last half hour or hour to see how the election is going?—No; the poll is opened and closed during the time that the bulk of the people are at work, and I think they would not give over to come and vote.

1009. Have you considered the point of expense?—I do not think it would make a material difference in the expense.

1010. It would no doubt increase the expense, but you would not see any objection to it on that score?—I do not see how it would increase the expense, except for a little extra gas.

1011. Are you one of those who think the expenses ought to fall upon the rates, or do you think that they should fall upon the candidate?—I believe there ought to be very little expense either to the candidate or to the ratepayers.

1012. You have a large number of polling places, have you not?—Of course that has to be met.

1013. And a considerable number of clerks are employed?—Yes; but I apprehend they would not pay the clerks any more than we pay them at present for working an hour extra.

1014. Do you think you would not have to pay the clerks for a day's work extra for counting the votes?—I think they might, as they did in the first School Board election, count the votes during the night, and then let it be announced

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*Mr. Wilson.*

3 June 1878.

Mr. Wilson.

Chairman—continued.

3 June 1878. that the declaration of the poll would take place the next day at any specific place.

1015. You think that at Sheffield the probability is that the counting of the votes would go on during the night?—Yes; it was so at the School Board election, though there were great difficulties in the way on account of the cumulative votes, and there were many more candidates at the first election.

1016. What you have said with regard to the difficulty experienced by the working classes in recording their votes at Parliamentary elections you would apply also to municipal elections?—Yes; I think they would be greater in Parliamentary elections than in municipal elections.

1017. Why?—Two years ago in Sheffield we divided two or three of the largest wards for municipal and School Board election purposes, and there will be a different order of things at Parliamentary elections.

1018. At the School Board election has there generally been a large poll in Sheffield?—Yes; there has been a good number.

1019. Has the proportion been as large as or smaller than it is at the Parliamentary elections?—I should think the proportion is as large; but there are many more candidates at the School Board and municipal elections, and the votes have been spread over a greater number.

1020. Have you heard any complaints about voters being prevented from voting at School Board elections owing to the hours?—No, not many. I think our regulations for School Board elections have been better and the facilities are greater than for the Parliamentary elections.

1021. Why should not the same facilities be given for Parliamentary elections without extending the hours?—We should be very glad; but great numbers are prevented from voting on account of the hours. In three of our largest wards, instead of the voters coming up, as they do at Parliamentary elections, to vote at two or three central booths, we have the wards divided in three districts, and a list of voters made out in them. Taking the case of a Parliamentary election in the Brightside Ward we should have to come to a central place, the vestry offices and a schoolroom or two adjoining, but for municipal purposes we have the roll made out in three districts, Grimesthorpe district, Burngreave district, and Neepsend district. All persons residing in that district vote in the district.

1022. Do you see any reason why such an arrangement should not be made to take effect at Parliamentary elections?—I think it is very desirable if it could be done.

1023. Supposing that that were done, you still think sufficient facilities would not even then be afforded?—No, I do not think anything but extended hours would meet the great want of the artisan population.

1024. Can you tell us what the expense of a school board election is?—It depends upon how a candidate goes about it.

1025. I am speaking only of the legal expenses; we have nothing to do with anything outside the legal expenses?—I think the legal expenses were something like 700 *l.* That is the expense falling on the town; but I think the expenses might be less than that. I think that included an analysis of the votes which I am not sure was not an illegal item. I was thinking you meant the expenses of the candidates.

Chairman—continued.

1026. I mean the expenses of the clerks, and the booths, and so on?—I think it was nearly 700 *l.* at the last School Board election.

1027. Is that larger or smaller than the expenses at the Parliamentary election?—You see the candidates have to pay a good deal of the expenses in Parliamentary elections for the erection of hustings and things of that sort.

Mr. Barran.

1028. There are no hustings now?—No, that is so now.

Mr. Mundella.

1029. Will you tell the Committee who you are; you have been a working outler all your life, have you not?—I was a grinder up to last Christmas.

1030. You are now a gentleman retired upon your savings, are you not?—Well, I am out of business.

1031. You have told the Committee that you are a member of the Sheffield Town Council?—Yes.

1032. And you are a member of the Sheffield School Board, are you not?—Yes.

1033. You are the chairman of the Brightside burial board?—Yes.

1034. You are a member of the free libraries committee?—Yes.

1035. And you have taken a great interest in all movements that promote the education and intelligence of the working people all your life, have you not?—Yes, I have been the author of several prize essays upon working-class questions.

1036. You are here to-day as an independant man?—Quite so.

1037. You are a non-unionist, I believe?—For more than 30 years I was.

1038. Can you tell us what was the number of registered electors under the old household franchise in Sheffield?—There was a return made to Parliament in 1866, when a Reform Bill was pending, in which the voters were given as 9,136.

1039. And they are now about how many?—About 40,000. Of that 9,136, 2,316, or a little over 25 per cent., were artisans, ten pounders.

1040. What per-centage of the 40,000 are working men now?—If we take Brightside, Attercliffe, and Nether Hallam as being essentially working men's localities in Sheffield township, which includes four wards, there were 3,748 voters in 1868; and in the Attercliffe Ward, the Brightside Ward, and the Nether Hallam Ward, at the same periods, there were 2,113 voters; Sheffield township having 1,535 voters more than the three wards. In 1877, the number of voters in Attercliffe, Brightside, and Nether Hallam had increased to 18,679, whilst the number in Sheffield township had only increased to 13,860. So it seems that the three wards, which in the first period of 10 years had 1,635 less voters than Sheffield, have now 4,819 more voters than Sheffield township; and those three wards are essentially working men's wards.

1041. What proportion of the 40,000 electors do you suppose are of the working class?—I should think 30,000 of them.

1042. Then my own estimate, which is three-fourths, is a correct one?—Yes.

1043. You

Mr. Mundella—continued.

1043. You have said that the borough is 11 miles from end to end, and seven miles across?—Yes, in its longest and broadest parts.

1044. Do you know anything at all about the condition of the building trades in Sheffield; are not the men who live at one end of the borough very often employed at the other extreme end, such as painters, builders, and men of that class?—Yes; and that has been one of the difficulties in regulating the hours, having walking time to their work.

1045. There has been a good deal of contention in Sheffield, has there not, about the great distances that the men employed in the building trades have to go backwards and forwards to their work?—Yes.

1046. Those men leave their houses very early in the morning to go to their work, do they not, and return home late in the evening?—Generally. The rule, I believe, is to start from a central place, and walking time is allowed according to the distance.

1047. There is a very considerable number of those men employed in the building trades in Sheffield, is there not?—Yes, I should think so.

1048. And it is difficult, if not impossible, for those men to poll, with the present regulations as to polling, without a great sacrifice of time on their part?—They would all lose a quarter; they could not do it under that.

1049. Are there not some special difficulties with respect to the great ironworks in Brightside as to the heating of the steel which cannot be neglected?—Yes; they must work when the heat is ready. The men work in sets in rolling plates and other things, and sheet rolls, and if one of the set was absent it would throw the others idle, and some of them might not be voters. In the double-hand trades there is the same thing, and with the double-hand forgers, table-blade forgers, and edge-tool forgers, and large files, so far as they are done by hand.

1050. You spoke of the Yorkshire Engine Company; take the Yorkshire Engine Company's works, which employ a great many men, what distance is that from the centre of the town?—I should think that it would be four miles. I have special reasons for remembering that neighbourhood.

1051. You say that you have yourself heard complaints from the working men of the impossibility of their voting without great sacrifices?—I have been asked about it when I have appeared before them as a candidate for municipal honours, and as a School Board candidate as well.

1052. You were asked by the Chairman whether you think that there would be any danger of men hanging back to the last hour or half-hour of the poll, if the poll was protracted to a later hour of the evening; what is your opinion upon that point?—I do not think that there would be any such thing; they do not know the state of the poll now, and that has conducted very much to quietness and good order.

1053. Do you believe that there would be any hanging back for the purpose of getting any kind of payment or corruption of any kind?—No, I do not think that Sheffield is a very corrupt borough.

1054. Such a thing is not known, is it, in Sheffield?—No; there might be some individuals  
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Mr. Mundella—continued.

who, perhaps, for half a gallon of beer, might go and vote, but as a rule they like their own opinions, whether they are Conservative or Liberal.

1055. You have been asked whether increased facilities would not meet the whole case; you have said that you have had increased facilities in the case of the School Board elections, but these facilities do not meet the case of the men that cannot leave their work during the day, do they?—No.

1056. They only meet the case of those that have the dinner hour, and can walk backwards and forwards to the poll during the dinner hour?—Yes; those that work in the district where they reside.

1057. It would not at all meet the case of the men who walk these long distance to their work and reside out of the district, would it?—No.

1058. No facilities would meet their case except keeping the poll open later in the evening?—No.

1059. You have been asked with respect to the time of the declaration of the poll; you express, I think, a decided opinion, that no harm would result if the declaration were deferred until the next day?—Not at all.

1060. And you are not apprehensive of any riotous proceeding as a result of keeping the poll open later at night?—Not at all.

1061. You have seen some exciting elections in Sheffield; have you ever seen any riotous proceedings at the polling booth?—Yes, I have seen some. I have seen windows broken, and I have seen dead cats thrown; but I think not since we have had the ballot.

1062. Not during the last 10 years, at any rate?—No; when you were first returned there was.

1063. There was what?—Dead cats. I think I got one or two.

1064. You were on the wrong side, I think. On the whole, then, you think that it would be a great improvement, and that it would tend to facilitate every voter exercising his franchise if the hours of polling were extended?—Yes.

1065. And you would extend them for both municipal and Parliamentary elections, and also for School Board elections, would you?—Yes, I would make them uniform as far as possible. The Chairman asked me about the expenses of the candidates. I see that for the election for 1874, Mr. Roebuck's expenses were 1,119*l.* 11*s.* 8*d.*; Mr. Mundella's were 562*l.* 2*s.* 9*d.*; Mr. Chamberlain's were 613*l.* 5*s.* 9*d.* Then there were some joint expenses between Mr. Mundella and Mr. Chamberlain, amounting to 852*l.* 0*s.* 1*d.* At the request of the burgesses, for greater facilities, we have divided three of our largest wards into polling districts, and all persons under every letter of the alphabet vote in those districts. In Parliamentary elections they vote from, say A. to G. at one booth, and a person may have to go from one end of the township to almost the other to record his vote; and another, whose name begins with another letter, has to go from one end of the township to the other to record his vote.

Chairman.

1066. There is no reason why the same facilities for voting, which you describe as existing at municipal elections, should not be given at Parliamentary elections, is there?—I think that  
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Mr. Wilson.

3 June 1878.

*Mr. Wilson.*

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*Chairman—continued.*

there is a difficulty in the Act. It provides how the list of voters should be made out, and I think that there is an exception to that for municipal and School Board purposes.

1067. At all events, you would recommend its being done, whether it needed legislation or not?—Yes, I think that it would be very desirable.

1068. That would, to some extent, obviate the evil which exists, but, in your opinion, it would not be sufficient?—It would obviate the tendency to riot, if it existed. The people would not be concentrated, and they are not so mischievous when they are spread about.

*Mr. Barran.*

1069. If the hours of polling were extended, as proposed, to eight o'clock, do you not consider that that would obviate to a very large extent the difficulty which is now felt by men leaving their work during the day, which work is of importance, and would it not, on the whole, be very much better that the hours of polling should be extended?—I think it would keep men more steadily to their work, and would do away with any complaint which the working men could reasonably have. It would have another indirect advantage to working men: they say there is one law for the rich, and another for the poor; I do not believe in that; but they think, as they have been kept for a long time without political power, it has been abused by the parties who have had it.

1070. And you think that the ground of complaint which exists at the present time on the part of the masters, as to the men breaking the time by going to vote, would be obviated by an extension of the hours of polling?—Yes.

*Mr. Henry Samuelson.*

1071. Do you think that the extension of the hours would have a tendency to keep men more quiet, by keeping them off the streets, and at their work?—Yes, quite so.

1072. Do the hours at Sheffield vary much in the different trades for commencing and leaving off work?—In some trades, like my own, we began when we liked, and gave over the same; but in some trades they cannot.

1073. What are the earliest hours at which work begins in any trades that you know of?—In some places, when trade is good, they go on working night and day, but very few, I should think, begin before six o'clock.

1074. Then those that begin at six o'clock would not be benefited if the poll were opened at seven o'clock in the morning?—No, but they would be benefited by its being kept open until seven o'clock in the evening.

1075. Do you think that workmen can generally obtain leave from their employers to go to the poll?—Some could. Some employers are more generous than others.

1076. But is it the general rule that they can get leave?—No, I do not think it is a general rule.

1077. It imposes, you may say in some cases, a fine upon the employer, does it not, to allow his men to leave during important processes?—In some cases it would do so; it would involve a waste of material and of fuel.

1078. At what time do the tramways generally begin to run in the morning?—I think that the

*Mr. Henry Samuelson—continued.*

workman's train is at five o'clock in the morning, but the chief constable can speak better to that than I can; that has to go down to the part of Brightside that Mr. Mundella has spoken of, the Yorkshire Engine Works.

1079. How long is given for breakfast at Sheffield?—I think half-an-hour for breakfast and an hour for dinner. Of course the piece, workers, some of them, take more.

1080. In both cases men who come from a distance frequently bring their food with them, do they not?—In many cases they bring it, or some of their children bring it.

1081. But it is not a common thing for men to go right to the other end of the town at their dinner hour; in fact they cannot do it?—No.

1082. Is there not a difficulty in the foremen, those engaged in superintending the factories, doing it?—I think that in many cases they could arrange to go before the dinner hour. I do not think there is much difficulty in that if they have any disposition.

1083. It is sometimes rather an important thing that the foreman should be on the spot the whole time when a delicate piece of work is in hand, is it not?—Sometimes it is.

1084. Is there any great rush of working men to the poll in Sheffield at the dinner hour?—Sometimes.

1085. Do you think that any voters go away through not being able to get in?—I have frequently seen that.

1086. Have you seen men endeavouring to record their votes when the poll opens at eight o'clock, but who have been unable to do so?—They are often busy during the first hour at municipal elections, but they are a different class of voters. There will be some artisan voters whose time is at their own disposal, and a great number of people will wait and vote before they come down to business.

1087. But you have not seen, as I have, men turned away from the poll at eight o'clock in the morning, because they must get to their work?—No; I have seen some, but that is not a great difficulty.

1088. Is there any great rush at the close of the poll?—Sometimes, but not so much now that we do not know the state of the poll.

1089. Have you seen men shut out from voting in consequence of the poll closing?—Yes.

1090. You do not suppose that those men have hung back because they wanted to get anything for their votes?—I have seen lots that have been too late when they have been driving men up to the poll at the last moment.

1091. The present hours of polling are very hard upon bricklayers, and plasterers, and gasfitters, are they not?—Yes, upon all men who have to be there to time. In many cases gasfitters cannot say where they will be employed.

1092. I think you stated that if the hours were lengthened, you thought that there would be less excuse for the conveyance of voters to the poll in carriages?—I think so, decidedly. I have a great objection to the use of carriages at elections.

1093. Do you think that lengthening the hours would put a stop to the employment of carriages?—It would depend upon the good sense of the candidates. I have contested two School Board

*Mr. Henry Samuelson—continued.*

Board elections and two municipal elections, but I have never had any carriages.

1094. Friends have put carriages at my disposal, and I have not paid a single farthing for them and never intended to do so, and I told them beforehand that I could not do anything of the sort; but I could hardly have prevented people from putting their carriages at my disposal in that way?—That is quite so. I knew that carriages would be employed when I first contested the ward of Brightside, and some of my friends did not employ any for me, but they put out a placard that if anybody else employed carriages, they advised the burgesses to get in and ride; and I have no doubt that they brought me as many as they brought the other. We did not, neither I nor any of my friends, employ any carriages.

1095. The question has been raised, as to the possibility of voters being allowed to select a central polling place, or a place near to the place at which they work, to record their votes, instead of recording them at the place where they would naturally record them by their position on the register. The honourable Member for Leeds has put that to every witness; his idea was, that that would, to a certain extent, do away with the grievance under which the working people suffer at the present moment; do you agree with that opinion?—But what about the identification of the voter?

1096. Do you not think that in that case it would be impossible to identify the voter?—Quite so.

1097. Candidates in most towns have persons at the booths to identify the voters as they come up to poll, have they not?—Yes, and as a rule our rate collectors and some of their clerks officiate as poll clerks; or in the booth, and they can very often identify men that come.

1098. If men from all parts of the town were to vote in any given part of the town, away from where they are known, it would be almost impossible to prevent personation, would it not?—I think that it would be utterly impracticable.

*Mr. Mills.*

1099. I think you said that you did not think it was possible that employers should give extra time to voters on the polling day, so that they might have greater facilities of getting to the poll?—Yes.

1100. Supposing that employers were willing and able to give their men an extra hour on the polling day for voting, do you think it would to any extent meet the difficulty that is now felt?—I hardly see the practicability of it. If they could ensure the men getting back in the hour there might be more that would be disposed to give it.

1101. You said that you thought that the sacrifice of time which was involved under the present system, was too large a sacrifice of time for them to be expected to make?—Yes, that is so; because it presses more heavily on poor voters. Some could make a sacrifice, and it would not be a very great sacrifice; but in either cases it would be more acutely felt.

1102. You speak of the sacrifice of time involved; do you think there is a sufficiently strong feeling amongst the electors generally to render them willing to make some sacrifice of time?—I think the great majority of them would do so.

1103. You think they would put themselves to  
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*Mr. Mills—continued.*

inconvenience rather than forego the franchise?—Yes.

1104. With regard to this question about the conveyance of voters, I think you said that this evil practice of providing conveyances for voters depended upon the good sense of the candidates; should you not say that it depended upon the good sense of the candidates' supporters rather than upon the good sense of the candidates?—Yes, I do not mean it as any reflection upon the candidates; but if candidates and their friends would not find money, I believe that might be very well got over with advantage to all parties.

1105. You would rather ascribe the evil, such as it is, either to over enthusiasm or to indiscretion on the part of the supporters of the candidate?—Yes.

1106. Because I presume that the candidate himself cannot legally pay a single sixpence for the conveyance of voters to the poll?—No, but it is a well known thing that it is done on behalf of the candidate, and I think that is an evil.

1107. You were asked some question with reference to the possibility of disturbance or otherwise from late hours of polling, and I think I understood you to say that you did not think there was any risk of disturbance from that cause; is it the fact that in Sheffield, under the ballot to which you ascribe a good many of the good results which have arisen, voters largely come up to the poll, making their opinions and their favourite candidate known, or do they generally keep it a secret?—Any one who knows them at all can tell who they are for.

1108. It is not in fact generally secret which way they are going to vote?—No.

*Sir William Cuninghame.*

1109. I think I understood you to say that you estimated the number of working-class voters in Sheffield at 30,000?—Yes, I should think it would be so.

1110. I suppose that that is a mere guess, founded upon nothing in particular?—No, it is hardly a guess, because we have them classified in wards, and in two or three wards they are almost all working men.

1111. You say that you have good grounds for that opinion?—Yes. In Brightside there are 9,192 electors, and it is essentially an artisan's ward; there may be shopkeepers and some few gentry, but not many; and Attercliffe is the same. Even under the 10<sup>l</sup>. franchise, Brightside had 27 per cent. of working men; Attercliffe had 38 per cent. of working men; and Nether Hallam had 36 per cent. of working men.

1112. Can you form any estimate of how many of those working men voters were prevented from voting at the last Parliamentary election by the hours of polling being between eight o'clock and four?—I could not; it would be a mere guess.

1113. Would you give your mere guess; because, of course, your opinion is of some value?—In trades like my own, or in the old staple trades of the town, I do not think that a large proportion would be prevented from voting. The extension has been in the out-townships, and the difficulty is there; and as to the number of artisans employed in these large works, at the Atlas Works, I know at one time I had reason for taking the statistics, and there were something like 4,000 hands employed. How many of those would be voters I cannot tell; but all house-  
holders

Mr. Wilson.

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Sir William Cuninghame—continued.

holders that have resided for 12 months have votes.

1114. But how many of those working-men voters do you think would not vote at the Parliamentary election, on account of the hours?—I could not give a guess that I think would be of any great value. I simply know, as a matter of every-day experience, that in Brightside township, where I was apprenticed and have lived for many years, it is, as Mr. Mundella has stated; they live in Sheffield, but work at the Yorkshire Engine Works at the extreme end of Brightside. There is the railway and the river close by, which have drawn the works that way.

1115. It is an important point, because I think you will admit that if all the voters could record their votes, it would be better that the poll should close at four o'clock?—Quite so.

1116. The question is, then, about what percentage of voters are prevented from recording their votes by the present hours?—I could not form an opinion on that. It used to be that our common-law vestries for the election of overseers and the burial boards, were called at dinner time; and the vestry of Brightside, I believe, unanimously passed a resolution that vestry meetings, except under special circumstances, should be held at seven o'clock in the evening; and they have been held so for some years, with very gratifying results.

1117. Could you suggest any means by which we could arrive at the number of voters that are prevented by the hours from voting?—Though I have a general knowledge of the working men, I could not, perhaps, speak to that so well as two of my friends, who have taken an active part in trades unions, and who are present.

1118. Would you favour us with an opinion or a guess, to use your words?—I could not; the time that I was notified was so short that I had not time even to think the matter over and go thoroughly into it.

1119. Of course, a great many of those who do not vote are prevented by other reasons; some are ill, some are absent, and some object to the candidate of their party?—Yes, and some are indifferent.

1120. Some are teetotallers?—Yes, but they vote; if they were all teetotallers, there would not be many that would not vote.

Mr. Henry Samuelson.

1121. Are you a teetotaller?—I have been as much as seven years, and have never tasted liquor, though I have kept it in the house.

Sir William Cuninghame.

1122. You say that the objection to allowing a voter to record his vote at any polling station that he liked would be that it would be impossible to prevent impersonation?—Yes.

1123. Is that the only objection?—It is a very strong one; the rating authority must make out the list; we have Sheffield, Attercliffe, Ecclesall, Brightside, Nether Hallam, and Upper Hallam, all district-rating authorities, and the overseers make out the burgess roll.

1124. But if this difficulty could be overcome, it would enable the voters as a general rule to record their votes?—Yes, if the difficulty could be overcome; but I think that the difficulties are greater than any benefits that would arise from it; I do not see my way to it.

Sir William Cuninghame—continued.

1125. You have no experience as to whether these difficulties can be overcome or not?—I was one of the Committee to divide the wards; but as we have different rating authorities, I think, as I have already stated, that the great difficulty would be that a person might be three or four miles from his home, he had never paid rates in that township, and there would be no officer that could possibly identify him. The possibility that such a thing could take place would be an evil which should be guarded against.

Mr. Mundella.

1126. The honourable Member who has just put these questions to you asked you if it was not a mere guess about the proportion of working-men electors; is it not a fact, as you stated at the outset, that there were only about 9,000 electors under the 10 l. franchise, and that there are now about 40,000 electors altogether?—Yes, that is so.

1127. Even of the 9,000 electors, you say that more than 2,000 were working men?—Yes.

1128. And now that under the household franchise there are 40,000 voters, it is not a guess to say that at least 30,000 of the electors are working men?—No.

1129. You were asked whether you could guess at the number of working men who were prevented from voting in consequence of the poll closing at four o'clock; is it not an absolute and utter impossibility for anybody to make an approximate guess?—I think it is.

1130. You cannot tell the motive from which men stay away from the poll?—We could have done that previously to the ballot. We used to have a burgess roll published, telling how every man voted.

1131. But with the ballot it is exceedingly difficult?—Just so.

1132. You stated one important fact: that the vestry meetings held in the Brightside Ward, which is the working men's ward, were changed from the middle of the day to 7 o'clock in the evening, in order to give an opportunity for the working men to attend?—Yes.

1133. How long has that been done?—I should think seven or eight years, and I think Sheffield has done the same. I am a ratepayer in Sheffield as well, and I attended a burial board meeting there at 7 o'clock in the evening about a fortnight ago.

1134. And now the attendances are more numerous than formerly?—Yes; there were no attendances worth speaking of before.

1135. Because men could not attend?—No.

1136. You were asked by the honourable Member for Exeter whether there was a willingness on the part of the working men to sacrifice their time; is it not the case, for instance, with regard to these men, who are engaged in the great steel-melting and armour-plating works in Sheffield, that it does not matter whether they are willing or not, they cannot leave their work without the consent of their employer, nor without a great loss being entailed upon the employer?—In many cases that is so.

1137. They work in sets; and if one or two men leave the others are idle also?—Yes; a heat of steel might be burnt, and if it is once burnt it is spoilt; or, in the old cast-steel process, the pot



*Mr. Mundella*—continued.

pot would flux if it was kept too long at an incandescent heat.

1138. You were asked whether the difficulties would not be met by allowing the voters to poll at other places than their ordinary polling places; but, in the instance which we have just referred to, that would not at all meet the case, would it?—No.

1139. Nothing will meet it but letting the men vote after their work is ended?—I think that is the simplest form of dealing with it.

1140. Is it not the fact that in the great armour-plating and steel works of Sheffield, in some of which 4,000 or 5,000 men are employed, the bulk of the men have their dinner in the works taken to them by their families, or take it with them?—Yes, that is so.

*Mr. Henry Samuelson.*

1141. With regard to the proposition that men should be able to select the booth in which they would vote, it seems to me that there is another difficulty; the register holds good for a year, does it not?—Yes.

1142. Do not a large proportion of the men change their place of work constantly during the year?—I do not think that a large proportion among the old Sheffield residents do so; it is more so amongst those who have migrated from Staffordshire.

1143. But there are a number of men on the register who do change their place of work?—Yes.

1144. And it would be impossible for them to select any particular place at which to record their votes, because at the end of the year they might be working at a place distant from the place where they had elected to vote, although they might not have changed their place of residence?—Yes, a man might have greater facilities for voting in one place than in another.

1145. A man might be working at the end of the year just as far from the place where he was working at the beginning of the year as he would be from his place of abode?—Yes.

1146. Therefore there would be just as much difficulty for him in going from one point to the other as if he had to go from his work to his home to vote?—Yes.

1147. Therefore, that would not meet the case?—No.

*Mr. Cotes.*

1148. Would there not be this practical difficulty, that men would not give up a day's work to select their places of voting before the revising barrister?—If you intimate to the overseer that you have changed your residence, he must put you on a different polling station; change of residence does not vitiate the right to vote. But you may be left out if you do not look upon the church and chapel doors and see whether you are on the first draft of the new lists.

*Mr. Halsey.*

1149. Have you had a contest every time for the School Board elections?—Yes, both times; I think once through some hitch in the nominations the time went by, and they sat without coming before the burgesses.

1150. You had a School Board from the first, I think?—Yes.

1151. Then you have had three elections, have you?—

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*Mr. Halsey*—continued.

you not?—We have only had two contests, because on one occasion, through some informality, the same board had to sit again.

1152. You had a contest at the first election?—Yes, I was in at the first election as a candidate.

1153. Has there been any change in the hours of polling for the School Board?—Not for the School Board.

1154. The hours were the same each time?—Yes.

1155. In some towns, according to a return that has been laid before us, sometimes there has been a very great alteration in the hours of polling?—It has not been so in Sheffield.

*Mr. Isaac.*

1156. You said, in answer to a question which was put to you by the honourable Member for Sheffield, that the attendance at the vestry meeting that was put off until seven o'clock in the evening, was much larger in consequence of the change in the time of meeting; from your experience, do you not consider that a man would lose time to go and record a vote on an important occasion, such as a Parliamentary or School Board election, when he would not take the trouble to go to a meeting?—No, I think many would go. If a man felt a warm interest in any candidate, and he was at a convenient distance, he would go. Not only for School Board purposes, but for all common law vestry purposes, we decided to meet at seven o'clock; and my experience is, that it is beneficial, the ratepayers taking a warm interest in their own affairs.

1157. Do you not consider that if a man takes an interest in the public affairs of the country, and desires to record his vote, he will be induced to record his vote irrespectively of any other consideration?—No, I hardly think that. It would depend upon his own circumstances.

1158. Then he does not take that interest in public affairs that one would give him credit for taking?—Supposing that a man left without authority, and a round of steel was spoilt, and the melting pots all fluxed, the man might lose his situation for the interest that he had taken.

1159. But supposing that he was taken ill, and did not attend to his work on the day of the election, what then?—That would be a thing that was unavoidable. They can go three meltings in a day, and before the first was ready for melting they could draw a man from another furnace to team the pots, as they call it, when the metal was ready; but it is doubtful when it would be ready.

1160. Do the workmen of Sheffield constantly attend their work without ever staying away under any circumstances?—No, not at all. I may say, that Monday is kept rather devoutly in Sheffield.

1161. And it is not an uncommon thing, in ordinary times, for men constantly to absent themselves from their work?—In some trades it would not be tolerated at all.

1162. But in some trades they do so?—In some trades they do so.

1163. Are those men discharged for leaving their work without permission?—No, the condition of the work is hardly similar. I never missed voting at either a municipal or Parliamentary election since I was a householder.

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1164. What

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Mr. Isaac—continued.

1164. What I want to arrive at is this: under ordinary circumstances a man absenting himself from his work in Sheffield would not be discharged by his employer, and no question would be asked why he absented himself from his work; is not that so?—It would depend very much upon the trade in which he was engaged.

1165. Taking it generally, and not taking those important trades that you speak of, where it is necessary, for heating steel, I suppose, that the men should not leave, but where few workmen would be employed, compared with those employed in the ordinary trades, such as electroplating, knife-making, scissors-making, tool-making, and all those things; as it is known that in ordinary times those men do absent themselves from their work, are they discharged for so absenting themselves?—I do not think that many would be.

1166. In the event of their absenting themselves to record a vote at any election, whether School Board, municipal, or Parliamentary, would the employer then discharge them?—I think it is probable that in many cases the employer would not know it. In the case of my own trade he would not have known it; but then I should have to pay for my rent and power if I had not been there. When I went to Paris to the Exhibition, and to Vienna, too, I had to pay my rent, as if I was working.

1167. The manufacturers of Sheffield, and the artisans of Sheffield, are the same, I suppose, as in all other large towns; that is to say, the workmen take their freedom if the employers do not grant it to them, and use their time as they please, either for political purposes or for social purposes?—As far as the old staple trades of the town go, probably there is no town that I am acquainted with where the men have so much their own way; but in the building trades and in the decorating trades, and others, it is not so.

1168. The building trade, and the decorating trade, are entirely regulated by their unions; the labourer is powerless except according to the orders of the union; but in the old trades of Sheffield the men can go and do as they please, can they not?—In many cases.

1169. If, at Sheffield, 25,000 out of 40,000 electors polled, would you not consider that a very large proportion to poll?—No, I should hardly have said that.

1170. Do you think that another 5,000 men would have polled if the poll was kept open between four o'clock and eight in the evening?—Yes, I think that is extremely likely, especially if it was a time when there was any public topic that rather excited the electors, like there is at the present moment.

1171. You think that under great excitement a larger number would be induced to go to the poll?—Quite so.

1172. Do you think that the extension of the hours from four o'clock to six would meet that requirement?—Many of them work until six o'clock. I think if the hours were extended from four o'clock to seven that would be sufficient.

1173. At what time do they commence work in the morning?—Many of them at seven o'clock and some at six.

1174. They work 12 hours?—Yes; they have two hours off for meals.

Mr. Barran.

1175. You say that men are willing to make sacrifices to go and record their votes?—Many of them are.

1176. Do you consider that men ought to be called upon to make sacrifices if arrangements could be made otherwise?—I think the sacrifice should be minimised as much as possible.

1177. You say that the vestry meetings have been postponed until night, because you could not get good vestry meetings in the early part of the day; does not the same rule, generally speaking, apply to all public meetings; that is to say, if any great national question was under consideration, would it not be deemed a desirable thing to hold any public meeting at night, after the workmen have finished their work, rather than to hold it in the middle of the day?—No, because we could not have a room big enough to hold them. We should meet in Paradise Square, and we must have it daylight. It depends upon the season of the year.

1178. Supposing the season of the year to be suitable, would it not be considered the best thing to hold a meeting of that kind at night?—Yes, certainly.

1179. And that is done to prevent the men having to make a sacrifice?—Quite so.

Mr. Henry Samuelson.

1180. At the present moment it is easier for the idle workman, who is often at play, who does not mind sacrificing his time, to record his vote, than it is for the diligent workman who is always at the workshop, is it not?—Quite so.

1181. Is that as it should be?—I think not.

Mr. Mundella.

1182. The honourable Member for Nottingham has asked you whether the old trades are not free; in the old trades the men work for themselves, and are practically their own masters, are they not?—Certainly.

1183. But in the new trades they are dependent upon one another?—Yes.

1184. And the new trades are largely in Brightside and the wards?—Yes.

1185. Brown's, Cammell's, and Firth's, are new trades, are they not?—Yes, several branches of them.

1186. In some of those works there are as many as 4,000 or 5,000 workmen employed when they are at full work, are there not?—Yes, and they are almost all adults; there is no female labour, and very little children's labour.

1187. If those men leave, it is at a sacrifice to themselves and at a sacrifice to their employers?—Yes, and a sacrifice to those that they work with, who may not be voters. That is one of the great difficulties.

Mr. Mills.

1188. Even in what the honourable Member has described as the new trades, would it be possible for employers to make such arrangements as you have indicated might be made in some cases, and to let the men go away for voting; or would you look upon that as simply impossible in the new trades?—There would be very great difficulties in the way. Take a rail mill at work, and the heats all ready; take the Bessemer furnace;

*Mr. Mills—continued.*

nace; to use an old proverb, they must strike while the iron is hot; and the whole shift of the men is required until they have completed the whole furnace.

1189. A great deal has been said about making sacrifices; you, I suppose, have had to make sacrifices at times?—I made a sacrifice when I was very young, to be a freeholder.

1190. You have made sacrifices, I daresay, very often for taking a part in public affairs?—Quite so.

1191. Do you not think that in almost all classes of the community, the working class and others, people are called upon to make sacrifices if they want to take part in public affairs?—I quite agree that that is so.

*Sir William Cuninghame.*

1192. I think these were 15,000 voters in Sheffield who did not vote at the last election?—Very likely.

1193. Of whom probably two-thirds, or 10,000, would be voters of the working class?—Yes.

1194. Is it probable that a great many of those were indifferent or sick, and so on; is it probable considering all that, that any great number would be prevented polling by the hours?—I think a considerable number; though in a large community, a large number from sickness and absence from home, and other unavoidable causes, could not vote.

1195. Taking all that into consideration, do you think the number of working-class voters prevented from attending to poll exceeded 1,000?—Yes, I should think considerably more.

*Sir William Cuninghame—continued.*

1196. Do you think 2,000 workmen were prevented from polling?—Yes; I should not be at all surprised if, in an exciting time, 5,000 more would come.

1197. Five thousand out of the 10,000 absentees?—Yes. If all the register was scrutinised, there might not be absolutely that number. Some might be duplicate voters, and some, perhaps, are dead; death is always going on.

1198. It would not be worth while making an alteration for the advantage of a very small number, unless the number prevented from attending the poll was very considerable; and I do not think you would be prepared to say that the number prevented from voting exceeded 2,000?—Sometimes we find the elections go off very quietly; at other times there are three or four times the number of electors polled, both in municipal and Parliamentary elections.

1199. You cannot have three or four times the number of 25,000 polled in a constituency of 40,000?—No; but when that number voted, it was an exciting time, and there were very special reasons for its being an exciting time.

*Mr. Hulsey.*

1200. I suppose that if an exciting time comes again, and if there is some particular question which affects the working classes very largely, probably many of those who in an ordinary way do not take much interest in voting, would find the means of voting, even without any alteration of the hours?—They do their best; but even with that many of them are kept out.

*Mr. JAMES BARBER TURNER, called in; and Examined.*

*Chairman.*

1201. You are the Secretary of the Trades Council of Sheffield, are you not?—Yes.

1202. How long have you been secretary?—Eighteen months.

1203. But your connection with the trades council is probably of much longer date?—Yes; my connection with it as a member has existed for five years.

1204. Can you give us any idea of the number of members of your council?—Nearly 5,000.

1205. Does that represent the trades in Sheffield?—No, only a portion of them.

1206. What trades does your council particularly represent?—There are 22 trades represented on the council. The greater portion of them are members of the staple trades of Sheffield.

1207. Your trades council is composed of members of most of the principal staple trades of Sheffield?—That is so.

1208. I understand that you are here to-day to give this Committee the opinions of your council as to the hours of polling at municipal and Parliamentary elections?—Yes.

1209. Do you agree generally with the evidence which we have had from Mr. Wilson?—Yes, entirely.

1210. That is to say, your council are in favour of having the hours of polling extended to eight o'clock in the evening?—Yes.

1211. Are you here to tell us that there have been very general complaints on the part of the

*Chairman—continued.*

*Mr. Turner.*

electors of Sheffield, working-men electors principally, that they have been prevented from voting by the present hours?—Yes, in some particular trades.

1212. Is the complaint, then, not a general one?—It applies to all trades, but in some instances more particularly than in others; for instance, in the steel-melting trade.

1213. That is the trade in which we have heard that men work in sets?—Yes; and it applies also to grinders, who work by steam power, and if they have to cease work they lose the power.

1214. I suppose that a large number of working-men electors vote at the dinner hour?—Yes, a large number.

1215. Has it been the case that, at any of the polling stations, men who came to vote at that hour have been obliged to go back again without recording their votes, owing to the pressure?—Yes, large numbers of them.

1216. Was that the case in 1874?—Yes, and before.

1217. In the election of 1874, at which election we have heard that the number of voters was 25,000, is it within your knowledge that a certain number of voters were prevented from voting at the dinner hour?—Yes.

1218. That is to say, they came to vote and could not vote because there was not room at the polling booth?—They went away because there

Mr. Turner.

Chairman—continued.

3 June 1878. there was not room, and they had not time to stay any longer.

1219. Did any large number of them do that?

—Yes, a large number.

1220. I suppose that now there is very little pressure of working men to vote towards four o'clock?—Not so much, I think, just now.

1221. What extension do you propose, then; would you agree with the last witness, that seven o'clock might possibly do?—I think that seven o'clock would do very nicely.

1222. If seven o'clock would do, you would, I suppose, prefer seven o'clock to eight?—Yes, I should prefer it myself.

1223. In fact, you would agree that the shorter the hours the better, provided that all the electors have a reasonable chance of exercising the franchise?—Yes.

1224. Have you heard the same complaint with regard to the hours of polling at School Board elections?—I have heard it with regard to both municipal and School Board elections.

1225. You are aware, no doubt, that there is an option at present in the local authorities of the towns with regard to the hours of polling at School Board elections?—Yes; but in Sheffield they have not altered it, I think.

1226. Has any pressure ever been brought to bear upon the mayor or the returning officer to extend those hours?—Yes, I think he has been requested to do so, but it has been refused.

Sir William Cuninghame.

1227. You heard what Mr. Wilson said as to the impossibility that he found in forming any estimate of the number of voters who are prevented from attending the poll by the present hours?—Yes.

1228. Can you help us in any way to arrive at an idea of how many would have been so prevented from recording their votes?—I will give you one trade, if that can be considered as a sort of answer. The steel-melting trade, to which I have alluded, number upwards of 2,000; and out of those 2,000, not more than 400 could by any possibility be allowed to leave their work, and then the remaining 1,600 would have to do their work in their absence. For instance, out of the 2,000 men, there are 400 whom we call cokers; that is to say, the men with the large baskets with the hard cokes in them who feed the fire; those men could be allowed to go, but their fellow workmen would have to do their work in their absence. They could be allowed to go because they are the least skilled workmen, and in their absence the work would not suffer, because the work of throwing coke upon the fire could be done by men whose real business was of a more important nature. As Mr. Wilson said, if a pot was to leak, the whole of the contents of that pot would pour out; and in some of the pots there are 56 lbs. weight of steel, which has taken three or four hours to get into that state, using a certain amount of coke, and men's time in addition.

1229. You know, then, as a matter of fact, that that trade alone accounts for 1,600 absentees?—Yes.

1230. Is there any other trade that you can speak to?—I can speak to the grinding trade; they number 3,000, taking all the grinders; and if those 3,000 grinders leave their work and lose two hours in the day, the manufacturers would

Sir William Cuninghame—continued.

not run their wheels two hours longer to accommodate them for voting, no matter which side they are for, whether they are for the master or against him.

1231. Considering all that, what number do you suppose are prevented from attending the poll by these hours?—I should say that they would exceed 5,000, because I should include also the building trades as well as the steel melters and the grinders; I should exceed Mr. Wilson's estimate.

Mr. Isaac.

1232. What do you call the staple trades of Sheffield?—The making of files, knives, scissors, razors, edged tools, and saws.

1233. Those are what Mr. Wilson called the old trades?—Yes, such as he himself and I belong to; he grinds the blades, and I put them together and make them into knives.

1234. Did I rightly understand you to say that in one of those trades they have 2,000 voters, and in the other 3,000 voters?—No, I am not certain as to how many there are of the 2,000 who are voters. Of course some are single men, and some are not householders.

1235. I think the impression upon the mind of most Members of the Committee, from the reply which you gave to the question, was that those 3,000 in the one trade, and 2,000 in the other, were all electors on the register?—I hope that I did not give that impression.

1236. We understand that out of those 2,000, it is possible that the 400 who would leave for the purpose of voting, and who could be spared, would be almost the only electors out of the body?—And on the other hand, it is possible that they might be the only non-electors.

1237. Then upon what calculations do you base the opinion which you have given, without any knowledge of those 5,000 being electors or non-electors, that 5,000 more would poll if the hours of polling were extended to seven o'clock?—On account of their not being able to leave their work, and the various trades that outnumber those that I have given, such as the building trades.

1238. We have heard that at the last election 25,000 did poll, and that 15,000 out of 40,000 did not poll; we must assume that some portion of the 15,000 who did not poll could not have polled from various causes, such as there being duplicate voters, and there being a large number sick and unable to go to the poll, and a large number who had died between the time when they were put on the register and the election; you speak with authority and from experience; what number would you allow for those casualties out of the 15,000 who did not vote?—I could hardly form an exact estimate.

1239. Still you have come here to give us information from experience and knowledge; if you are able to give us information from experience on one point, you should be able to give us information on the other point?—I think it is hardly within my province to do that; it is beyond my power, I think, to do it.

1240. Is it equally beyond your power to say how many of those 5,000 persons employed in those particular trades are electors. Assuming that a certain number, say one-third of the 15,000, are indifferent persons, unconnected with those different trades, or sick or dead, or dupli-

cates,

*Mr. Isaac—continued.*

cates, that would leave you 10,000 to poll; how many of those 10,000 do you believe would really poll with the extended hours?—I should think upwards of 5,000 are prevented from voting because of the hours in the steel trade, and the grinders, and the various building trades.

1241. Then you are able to form an opinion as to how many would vote, and that is the only point upon which you are able to form an opinion in connection with those numbers?—Yes.

*Mr. Halsey.*

1242. Do you think that those men who are prevented from voting, would all vote if the hours were extended, without any pressure being put upon them, without their being looked after and canvassed, and so forth?—Yes; I know men in connection with my own trade, and the grinding trade, who really cannot vote on account of losing the power, where a loss of one or two hours means a loss of so much money.

1243. But do you think they would really take the trouble to vote, because we know that in all classes there are people who will not take the trouble to vote unless they are well bothered by canvassers, and agents, and people who go and bustle them up to try and get them to vote?—Yes, but in the majority of instances in the trades that I have mentioned, they are an intelligent body of men.

1244. And they are keen about voting?—Yes.

*Mr. Mills.*

1245. With reference to a question which was asked you by an honourable Member, does the practice of canvassing exist in Sheffield; are the electors canvassed on behalf of the candidates either personally or by proxy?—They are canvassed by the candidate's friends.

1246. That is the general practice in Sheffield, is it?—Yes.

*Dr. Cameron.*

1247. Although you cannot give a very exact estimate as to the number of men who are prevented from voting in Sheffield by the short hours of polling, there can be no doubt whatever in your mind, I suppose, that a very large number are so prevented from voting?—I have not the least doubt of it.

1248. I suppose that amongst the working men in Sheffield there exists no idea that the masters should give them holidays in order to enable them to vote?—Oh, no; there are not many men that would ask the masters for it.

1249. In fact, I suppose it would be liable to be looked upon as a species of bribery, would it not?—The men would consider that they were asking a favour, and that they would be required to do something in return for it which they would rather not do.

1250. I suppose they consider that it is but right that the State, having given them the franchise, should give them an opportunity of exercising it without favour, or without coming under any obligation?—Yes, that is the idea which prevails generally among the working men.

*Mr. Cotes.*

1251. You said that in a particular trade, in which there were 2,000 men employed, only 400

*Mr. Cotes—continued.*

out of those 2,000 would be able, as I understood you, to leave their work during the hours in which the poll is at present open, that is to say, between eight o'clock and four?—Yes.

1252. So that if they were all voters only 400 out of the 2,000 could poll?—Yes, that is so.

1253. And you further say, that, in your opinion, the greater proportion of the rest would vote if the hours of polling were extended?—Yes.

*Mr. Isaac.*

1254. But you are not aware what number of those 2,000 are electors and what number are not?—No.

*Mr. Cotes.*

1255. You say that you have often seen voters leave the polling stations at the dinner hour, having been unable to record their votes during the dinner hour?—Yes.

1256. Is it within your knowledge that those voters having gone to vote at dinner time, and not being able to do so, did not come back and do so before the close of the poll?—Yes, it is in many instances.

1257. Do you further think that if the hours of polling were extended to eight o'clock, as suggested by some of the witnesses, or to seven o'clock, as you seem to think would be sufficient, many of those voters would return after their work and record their votes?—Yes; because with regard to the grinding trade, for instance, the power sits down at six o'clock in the evening, and it would be no great trouble for them to give over work at five or six o'clock, and then they would have an hour in which to record their votes if the poll was kept open until seven o'clock.

1258. Do you think that seven o'clock would be sufficiently late to keep the poll open until?—I do, because the trades work in Sheffield all hours; some work until nine o'clock.

1259. Taking into consideration the case of builders and decorators, who may be working say some miles off, would they be able after their work was over to poll by seven o'clock?—Yes, because the generality of them give over work at half-past five o'clock.

*Mr. Henry Samuelson.*

1260. Is there not another class of men who find it difficult to get away to vote; is it not a very difficult thing for engineers in charge of engines to leave their engines and go and vote?—They cannot be allowed on any account to go and vote.

1261. Therefore under the present system, they are entirely disfranchised?—Yes.

1262. And I suppose that although they may not amount to thousands, they amount to a good number of men in Sheffield?—Yes, there are a large number of manufacturers in Sheffield who employ one or two, and sometimes more engine tenters.

1263. So that the present hours actually do disfranchise that particular class of workmen?—Yes.

1264. Smiths also find it difficult to get away, do they not?—Yes.

1265. It is almost impossible between the  
H hours

*Mr. Turner.*

3 June 1878.

Mr. Turner.

Mr. Henry Samuelson—continued.

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hours of eight and four for a smith to leave his work, is it not?—Yes, it is almost an impossibility for him to do so.

1266. And there are other trades besides in which it is very difficult for them to get away to vote?—Yes; for instance, in what we call a double handed trade there have to be two men at work, the maker and the striker. Supposing that I myself am a maker, and that I have a striker with me, and supposing that I want to go and vote at 11 o'clock in the morning, and my striker is not willing, of course we disagree, and then there is a rupture; and if I am determined to go I throw him idle, and if he is determined to go he throws me idle. None of these double handed men work later than six o'clock; so that, in the event of the hours of polling being extended, one man could go and vote without throwing another idle.

1267. Can you mention any other trades which you have not yet mentioned in which it is almost impossible for a man to go away and vote?—I think, in the silver and electro-plating trade, when the silver is undergoing a certain process, the men cannot be allowed to leave beyond a given space of time, otherwise the material is spoilt.

1268. And there are many trades in Sheffield which are under those conditions?—Yes.

1269. So that a great number of men practically within your knowledge are disfranchised by the present hours?—A great number.

1270. Without stating the exact number, which you cannot pretend to do, of course?—No.

Mr. Barrow.

1271. You say that your trades council represents some 22 trades, I think?—Yes.

1272. It is a non-political society, is it not?—Yes, I have not had anything to do with politics since I have been a member of it.

1273. It does not represent any particular political party?—No.

1274. That being the case, their object in advocating an extension of the hours of polling is to secure, as far as possible, the advantage to the working man being able to record his vote without making a sacrifice?—Yes, or with as little sacrifice as possible.

1275. You say that difficulties sometimes arise where two men are working together, and one man is unwilling to give way because of the loss of time that will occur in consequence of the other leaving his work; does not that apply sometimes with regard to political feeling; that is to say, that if men have strong political feelings, and especially if they are non-electors, they will put difficulties in the way of their co-workers going to record their votes, if their opinions differ?—Yes; it would occur if one man was not a householder and his mate, as we call him, was a voter.

1276. Where a man is a non-elect, and his political opinions are not the same as his mate's, there is a danger of his putting difficulties in the way of his mate's leaving his work to go to record his vote?—Yes, there is very great danger of that.

1277. You say that if the hours of polling were extended to seven o'clock, you think that would meet all that is required; an honourable Member

Mr. Barrow—continued.

put to you just now the case of a man living several miles away from his work and coming to record his vote; is it not a fact, that men who were living a few miles away, and who do not cease their work until half-past five o'clock, would many of them spend an hour in getting to their homes, and then after reaching their homes would have to prepare to go to vote, because they would not care to go in their state of dirt?—They would not mind about that; that is frequently done. I have seen a workman jostle against a manufacturer frequently; that is not a matter of any consideration in Sheffield.

1278. Then you think an extension to seven o'clock would be sufficient?—Yes.

1279. Supposing the time to be extended to eight o'clock, would you, from your knowledge and observation, suppose that there would be any danger to the peace of the community from the poll being so extended?—No; I should not be more frightened of the peace being broken than I am under the present circumstances.

1280. You think that under the ballot there is much less excitement at elections than there used to be?—There is not half the excitement that there used to be prior to the ballot.

1281. And the people do not congregate in the streets round the polling booths as they used to do when the declaration of the state of the poll was made from time to time during the day?—No.

1282. Is it your opinion that if the declaration of the poll was deferred to the following day it would have a tendency to allay excitement, and that there would be even less danger to the public peace than there is at present?—I hardly know with regard to that; I think that if men knew the state of the poll on the same day as the election, they would be more ready to go to their work the next morning, whereas if they go to listen to the declaration of the poll, many of them would make it a sort of set-off for having another half day's holiday.

1283. But my question was as to the danger to the public peace, and not as to the convenience of the men?—I do not think that there would be any danger.

1284. Would it not diminish the danger rather than increase it?—Yes; I think that it would rather diminish it.

1285. Supposing that the poll closed at eight o'clock, and it was well understood that there would be no declaration of the poll until the following afternoon, would not the electors, as a rule, go to their homes at once?—Yes.

Mr. Mundella.

1286. As a rule, I think Sheffield people take a very keen interest in politics?—Yes, generally.

1287. And there are very few of them who do not like to exercise their votes if they can?—Yes.

1288. It does not matter what political party they belong to, they all want to vote?—Yes.

1289. There are not many indifferent politicians in the town, are there?—No, very few.

1290. Politics run very high, do they not?—Yes, party feeling runs very high.

1291. Do you think that unless they were prevented by causes over which they have no control,

Mr. *Mundella*—continued.

trol, the great majority of the people in the borough would poll?—Yes; at the last election, a number of men were prevented from polling, because the man at the pit, who had the charge of the engine, would not draw them up, and he kept them in until it was too late; that was down at the Brightside colliery. There are a number of pits round about Sheffield that employ a large number of hands who are voters.

1292. Not only at Brightside and Attercliffe, but at Carbrook also, there are a number of voters?—Yes, and up to the Manor.

1293. And a considerable number of miners live within the boundaries of the borough of Sheffield?—Yes, large numbers.

1294. The honourable Member for Nottingham asked you whether the 400 men connected with the steel melting trades, who could be spared from their work, might not be electors, and might not be the only electors; are not the 400 stokers to whom you referred the unskilled workmen?—Yes; the men who throw in the coke, and take out the moulds.

1295. And the 1,600 would be the older and more skilled workmen?—Yes.

1296. In all probability the householders would be amongst the 1,600?—Generally speaking, because the other men are chiefly younger men.

1297. You have been often inside the large works in Sheffield, I suppose, when the men have been getting their dinner?—Yes, I have.

1298. Does not the work go on all day, and the men eat their dinner while the work is going on?—Yes; in the steel trade, for instance, the steel is melting and making into ingots while the men are there.

1299. Their wives and children bring the men their dinner, and the men eat it while the work is going on, as opportunities arise?—Yes; or otherwise they take their dinner with them, and get them there.

1300. With respect to the engineers; in these large works there is a great number of those engineers that cannot leave their engines, is there not?—Yes.

1301. Were you aware that there were not less than 140 odd boilers in the works of Messrs. John Brown and Company alone?—I was aware that there was above 100, but I was not aware that there was that exact quantity.

1302. That applies to a number of other large firms, does it not?—Yes.

1303. It would apply to Messrs. Cammell's, and to Messrs. Firth's, and to Messrs. Vickers, and to many of those large firms in what we call the new trades of Sheffield?—Yes.

1304. The consumption of coal in a single works has been estimated at 4,000 or 5,000 tons a week, has it not?—Yes.

1305. And some consume as much as 1,000 tons a day?—Yes.

1306. You say that a grinder objects to leave his wheel because he has to pay for his own steam power?—Yes, he has to pay so much per week.

1307. If he leaves his wheel, he not only sacri-

Mr. *Mundella*—continued.

fices his labour but he has to pay for his steam power while he is away?—He pays for it every moment that he is away.

1308. Then, practically, it is a fine upon him if he leaves his work while the steam power is going on?—Yes, it is really.

Mr. *Alfred Gathorne Hardy*.

1309. You say that it would be a fine in addition to the labour; at about how much an hour would you calculate the cost of steam power that a single grinder would pay?—Mr. *Mundella* meant by a fine, I understand, that a man would lose so much of wages.

1310. What I wanted to arrive at was the money which he would lose; how much a day would be the steam power which a grinder would pay for?—I suppose the different kind of grinders pay for rental, for troughs, as we call them, according to the number that they have; and some trades require more troughs for the finishing of their goods than others do.

1311. What I want to find out, if I can, is about what on an average you suppose that the money value of the steam power to a grinder for a day would be?—The next witness is a grinder, and he could tell almost to a certainty, and Mr. *Wilson* also. (Mr. *Wilson*.) I have paid as much as 36 *l.* a year, and if I were not personally there, there was, practically, very little work done. But perhaps the best criterion would be what a man would be allowed to work with somebody else. That would probably stand him in 7 *s.* or 7 *s.* 6 *d.* a week, whether he works or not.

1312. (To the *Witness*.) Then it would be 1 *s.* 3 *d.* a day; how many hours a day do they generally run?—The wheel is generally run from eight o'clock to six; but they stop during the dinner hour, and in some instances they stop half-an-hour at tea time.

1313. Then it would be about 1½ *d.* per hour?—Yes.

Sir *William Cuninghame*.

1314. It has been suggested that the poll might be opened at five o'clock in the morning; would that enable all the workmen to record their votes?—No.

1315. Why not?—In a great many instances the men have to be at their work at half-past five and six o'clock, and half-past six in some instances. In the steel trades they do not begin later than six o'clock, and it would be an impossibility for men who have long distances to go to record their votes by that time.

1316. But I suppose there are workmen's trains and tramways, and one thing and another, that would convey them very quickly considerable distances to their work?—Yes, but only in two parts of the town; that is chiefly in the Brightside district.

1317. If, however, the poll was opened at five o'clock in the morning, by far the greater number of the workmen would be able to vote then, would they not?—No, I think not.

Mr. *Turner*.

3 June 1878.



Mr. JOSEPH MALLINSON, called in; and Examined.

Mr.  
Mallinson.

3 June 1878.

Mr. Mundella.

1318. You are a member of the Sheffield Trades Council, are you not?—Yes.

1319. And you have been requested by that body to attend here and give evidence to-day?—I have.

1320. They are in favour of the extension of the hours of polling, are they not?—They are.

1321. And they have been so for some years, I think?—They have.

1322. It has been a subject that has been agitated amongst them, has it not?—It has.

1323. What is your particular branch of business?—Razor grinder.

1324. How long have you been connected with the Sheffield trades?—All my life; ever since I went to work.

1325. Are you acquainted with the other branches of the Sheffield trades, the new branches?—Yes, I have been going round in the capacity of trades' secretary for 16 years, and I have come in contact with them.

1326. Is it within your own knowledge that the working classes of Sheffield desire an extension of the hours of polling?—It is.

1327. Have you heard any number of them complain that they have been prevented from polling in consequence of the restricted hours?—I have.

1328. Do you believe that the extension of the hours to seven or eight o'clock in the evening is the best mode of meeting the difficulty?—I believe that eight o'clock would be the best time.

1329. Would you tell us why you prefer eight o'clock to seven?—Yes. Mr. Turner has referred to the grinders and the steam power that they have to use; in many cases from Wednesday night to Friday night, the engine will run until seven o'clock; and if they left off in the middle of the afternoon, if they did not get away from the polling booth, say for an hour, they would lose that hour; and if they could be allowed to vote from seven to eight o'clock in the evening, many of them would be better able to record their votes. I think if the hours were only until seven o'clock there would be a great rush at the polling booths, and some would not be able to record their votes before the poll was closed.

1330. They would be unable to record their votes because of the rush between six and seven o'clock?—Yes.

1331. You think that extending the hours to eight o'clock would meet the whole difficulty of the case?—Yes. Then take the joiners and bricklayers; many of them are working away from their homes, and in some cases they would not leave work before half-past five; and in some cases it might take them an hour to come home; and then if the hour was seven o'clock it would only give them half-an-hour, and if there was a rush they would not be able to record their votes.

1332. And when the men in the building trades leave their work, they want some refreshment after their long walk, and so on?—They do.

1333. And you think that the poll ought to

Mr. Mundella—continued.

be open until eight o'clock to afford facilities to those men?—I do.

1334. You have heard the evidence of Mr. Turner with respect to the colliers' complaints, have you not?—I have.

1335. Did you hear that statement yourself from any source that the men were kept down the pits and could not get up?—Yes, I heard it at the time of the election.

1336. Have you of your own knowledge met with men who have told you that they could not get away from their work?—I have met with men of that character.

1337. You heard the evidence about the steel trades and the new trades of Sheffield; do you agree with Mr. Turner that those men could not leave their work without a great sacrifice on their own part, a sacrifice to their employers, and a sacrifice to the men with whom they are associated in the work?—I quite agree with him in that point.

1338. The men engaged in steel melting, and armour plating, and the Bessemer trade, and that kind of work, cannot leave the work while the process is going on, can they?—They cannot.

1339. You also bear witness, do you not, to the immense quality of steam power used in the Sheffield trade as compared with almost all other trades, and the number of engineers employed who cannot leave their work?—I do. It would be almost impossible for an engine tender, for instance, to leave his work until about half an hour after the other men had left.

1340. Do you believe that the keeping of the poll open would at all tend to any rioting or disturbance of the peace?—I do not think that it would.

1341. In fact, you have no reason to apprehend from anything that you have ever seen in Sheffield that any extension of the hours of polling would lead to a breach of the peace?—That is my firm conviction that it would not.

Dr. Cameron.

1342. Have you any idea of the number of men employed in the building trade in Sheffield?—I have not, but I believe that they are very numerous at the present time; there is a good deal of building going on there. I could not speak to the number; there would be the bricklayers, the masons, and the joiners.

Mr. Mundella.

1343. Do you confirm the statement made by Mr. Wilson, that Sheffield is about 11 miles long at the longest part, and seven miles across?—I do.

Mr. Mills.

1344. Does the trades council represent all the trades of Sheffield?—Not all.

1345. Does it represent all the old trades?—No, not all the old trades.

1346. I think Mr. Turner said that it represented 22 trades?—He did.

1347. Then it does not represent all the trades either new or old?—Not all the trades in Sheffield.

1348. What



*Mr. Mills—continued.*

1348. What would be the trades, for instance, employing any large number of artisans which are not included?—I believe that none of the building trades join in the Sheffield Trades Council. I represent the razor grinders' trade; we are a trade to ourselves, of course, but we join the trades council.

1349. I think that either you or Mr. Turner said that the trades council was not a political organisation?—It is not at all.

1350. It is a trade organisation?—Yes.

*Mr. Alfred Gathorne Hardy.*

1351. I wanted to ask you a question or two which applies to a good deal of the evidence which we have heard; you have come here as representing the Sheffield Trades Council; first of all, I want to know how the trades council elects its representative body?—I was elected to the razor trade 16 years ago, as president and treasurer of the Razor Grinders' Union, and I have occupied that position ever since.

1352. Were you elected by the vote of the members of the Razor Grinders' Union?—Yes; it is by their vote that I am here to-day.

1353. Was your election 16 years ago by the vote of the Razor Grinders' Union?—Certainly.

1354. By the vote of the whole of them, or a representative body?—The whole of them.

1355. Do they vote by ballot or by open voting?—By open voting in a meeting, holding up their hands.

1356. Then, I suppose, the trades council has a certain number of representatives of the different trades; is that so?—The trades council has rules, and it has been brought into existence; I do not know how long it has been in existence now, but it is another word for what existed some time ago under the name of the Sheffield Organised Trades. The Sheffield Trades Council exists now for taking into consideration, in the first place, the welfare of all those trades that are willing to join the trades council.

1357. Questions affecting the trades generally; but what I want to find out, if you can kindly inform me, is this; how you came to form a part of the trades council; does each particular trade represented upon the trades council elect a member upon the trades council?—I was appointed by our trade as a delegate to the Sheffield Trades Council, and at the Sheffield Trades Council I was appointed by the council to attend here to give evidence to-day.

1358. You were appointed by the razor grinders?—Yes, to my position.

1359. Then do the other trades each appoint in the same way a delegate who represents them on the trades council?—They do.

1360. Then does the delegated body elect any others in addition to the delegates; is the trades council simply a body consisting of delegates elected by the different trades represented on the council, or is there anybody else as well on the council?—There are 22 trades on the trades council, and each of those trades elects so many delegates to that council.

*Mr. Mundella.*

1361. They are elected by the universal suffrage of their particular trades?—They are.

1362. And nobody is a member of the trades  
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*Mr. Mundella—continued.*

council but those who are elected in this way by universal suffrage, and sent to the council; is that so?—That is so.

*Mr. Alfred Gathorne Hardy.*

1363. How are you delegated by that body to attend and give evidence; I presume that there was a meeting of the delegates of the council, and they asked you to come up and give evidence; is that how it was done?—It is.

1364. A meeting of the delegates was summoned to take into consideration the question of giving evidence before this Committee?—This, at our quarterly meeting. The delegates are only expected to be there. There is the executive committee; there is the president, the treasurer, and the secretary, and a few on the executive committee, and we go as delegates to the quarterly meeting, and the quarterly meeting takes these matters into consideration. The matter was discussed: Shall we as a body, or shall we not, send parties from this meeting to represent us before this Committee? And it was passed that that should be done.

1365. How many were present at the meeting which passed this?—All the trades are warned to attend the meeting, and there would be very few delegates absent, I believe, at that meeting.

1366. About how many were present?—From what I could see that night, I should think that there would be from 40 to 50 delegates.

1367. I am not putting these questions to you personally, but I wish to know the constitution of this body. You say that the trades council is in favour of an extension of the hours of polling; is that question put at the quarterly meeting to the delegates: "Are you in favour of increasing the hours of polling?"—It was discussed.

1368. You say that they decided in favour of it by a vote?—They are in favour of it by a vote.

1369. The next question which I want to ask you is this: Can you tell me how many polled at the last Sheffield election?—25,000 out of a number on the register of 40,000.

1370. You yourself recorded your vote, I presume, at the last election?—Yes.

1371. I noticed that when the honourable Member for Sheffield asked you whether any people had told you that they were prevented from voting, you said, "I have met with men of that character;" do you not think that everybody who was a particularly keen politician and was very anxious to vote did manage to vote somehow or other at the last election?—Those who are very keen politicians would make a sacrifice to go and record their votes; there are others who would not.

1372. But I want to distinguish between an absolute physical impossibility and a difficulty, greater or smaller, as the case may be?—I am confining myself to pieceworkers, not to such men as work at the new trades down Brightside way; they could not come.

1373. As far as you know, is there any single person in Sheffield whom you would describe as a keen and eager politician, who would make a sacrifice to record his vote, who was prevented from recording his vote at the last election?—I believe that there would be many of that class.

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*Mr. Mallinson.*  
3 June 1878.

Mr.  
Mallinson.  
3 June 1878.

Mr. Alfred Gathorne Hardy—continued.

I was confused about the grinders using power when you asked me the question.

1374. I do not wish in the least to mislead you by my question, I only want to get at the facts. You told us that this would be a sacrifice; but it is within your knowledge, is it not, that we all of us have to make sacrifices in the interest of public duty; for instance, tradesmen in London, have to attend on juries for perhaps a fortnight at a time; that would be a great sacrifice in the interest of public duty, would it not?—No doubt.

1375. We all of us, in our different ways, have to leave our business possibly at which we are earning money to attend to our public duties, either in Committees of the House of Commons, or elsewhere, and we have all to make sacrifices to vote; do you think it such a very unreasonable thing that a working man, say once in five or six years, should be obliged to sacrifice a portion of his time some morning for the purpose of recording his vote on an important public question?—I think that it would hardly apply to the artisan in Sheffield; he could not afford to sit a fortnight on a jury.

1376. Some people can afford to lose a great deal of time, and some people can afford to lose less; ought not a working man to be able, in the interest of public duty and public convenience, to manage to afford to record his vote at some period in the day when a general election comes once in five years?—There are some men in some trades who, even if they are very keen politicians, could not possibly leave the works, as has been described by the other witnesses; in the grinding department, if the parties that use steam power are compelled to lose an hour or two in the day, if that is at the latter end of the week, or the middle of the week, the wheel does not run sufficient time to allow them to fetch up the lost time; and if they have not been working (not from any fault of their own) on Monday and Tuesday, if there comes to be a polling day in the middle of the week, it is a very serious matter for them; they have the wheel power to pay for just the same as if they were working.

1377. The actual cost of the steam power we have calculated would be about 1½d. an hour; then there would be the loss of the hour's work, and the loss of the time of the apprentices, and so on; but taking it altogether, I cannot think that the loss for a good workman would be more than 2s. per hour?—The loss of that hour to that person might injure others dependent upon him, and prevent him from getting his work in by Saturday, by the time the engine stops and the wages are paid.

1378. Do you not think that he might work double tides if he had been away for the purpose of recording his vote?—That cannot be.

Sir William Cuninghame.

1379. I think I gathered from the answers of some former witnesses, that the working classes in Sheffield would not be satisfied with an extension of the hours of polling in the morning instead of the afternoon?—They would not.

1380. Why not?—A joiner, or a bricklayer, or a mason, must be at his work say at seven o'clock, it may take them an hour to go to that place. Then there are the steel melters; they have to be at work in good time in the morning,

Sir William Cuninghame—continued.

and they could not possibly be at the poll to record their votes early.

1381. But if the poll was opened at five o'clock, they would have plenty of time in both those cases, would they not?—They might have time, as far as time is concerned; but I think it would be inconvenient.

1382. Of course, it would be to a certain extent inconvenient; but you will allow, I think, that there are objections to extending the hours in the afternoon?—I do not see any myself.

1383. There is additional expense, and that is an objection, is it not?—What would that arise from?

1384. From the extra number of hours that the polling clerks would be required?—They would be obliged to be there in the morning.

1385. You may think that there would not be additional expense, but some witnesses have said that there would; then there would be some little additional chance, however slight it might be, of riot and drunkenness, and turmoil in the evening; do you not agree to that?—I have just stated to Mr. Mundella, that under the present system of voting, I do not think there would be any rioting in Sheffield. If the voting open till eight o'clock, I do not think it would lead to that.

1386. You think, then, that there is absolutely no objection to extending the hours after four o'clock?—There is no objection to extending them.

1387. You cannot think of any argument even against it?—I do not exactly comprehend that question.

Mr. Mundella.

1388. Do you know any reason against extending the hours?—I do not; I am quite in favour of extending the hours of polling till eight o'clock.

1389. You have been reminded that all classes make sacrifices in the discharge of their duties as citizens, and you have been asked whether it is too much for men to make a sacrifice once in five or six years; is it not a fact that municipal elections come every year?—It is.

1390. And that school board elections come once in three years?—It is.

1391. And Parliamentary elections come, say once in five years?—Yes.

1392. Do you think that men should be called upon to make unnecessary sacrifices in the discharge of public duty?—They ought not.

1393. Is it not the feeling amongst working people that if the hours were extended beyond the present rather aristocratic hours from eight o'clock to four, it would give an opportunity for all the working men to poll without being called upon to make these sacrifices?—It would.

1394. It is felt that that would meet the whole difficulty of the case?—It is.

1395. And you feel very strongly that there is not the slightest danger of riot, or drunkenness, or disturbance in consequence of the hours of polling being extended?—Not at all.

Mr. Barran.

1396. I believe that your trades council is composed of men of all political parties, liberals, conservatives, radicals, and so on?—It is.

1397. Is your general feeling in your

Mr. Barran—continued.

council in favour of an extension of the hours of polling?—The feeling in favour of it was unanimous at the last meeting.

1398. Is it on the ground of the sacrifice which has to be made in the first place by working men who have to leave their work if they are good politicians and determined to record their votes, that they desire to have an extension of the hours of polling?—It is.

1399. And, on the other hand, I suppose that they admit to some extent, or pretty fully, perhaps, the inconvenience that masters are subjected to in consequence of men having to break their time when they go to vote?—That is so.

1400. And you know from your own experience, I suppose, that from time to time, inconveniences have arisen in the non-completion of work, or in the non-execution of orders where time has been broken for electioneering purposes?—I have.

1401. Is it your opinion that, supposing the hours of polling to be extended until eight o'clock, there would be very much less broken time at municipal elections, and even at Parliamentary elections, than there is now?—There would be very much less.

1402. Is it your opinion also that in all probability there would be less drunkenness?—I believe that there would be less drunkenness too. Men that had their time at their own command, and were not temperate would, perhaps, not return to their work after giving their vote.

1403. And you think that if a man went to record his vote at six o'clock in the evening he would do so, and then go home to his family?—Yes.

Mr. Henry Samuelson.

• 1404. With regard to what the honourable Member for Canterbury said to you about men making sacrifices, is it not the fact, as we have heard from Mr. Turner, that there are a very large number of men employed in Sheffield who cannot, with all the will in the world to make sacrifices, leave their work to record their votes?—There are a very large number of such men.

1405. Those men who are employed in tending engines, smiths, men engaged in steel works, and a variety of other trades, however willing to sacrifice their time, could not do it, because it is an impossibility for them to get away?—They could not; and when I referred to the sacrifice that a keen politician had to make, I was just taking into consideration the trades that I move

Mr. Henry Samuelson—continued.

amongst, and that I know best, viz., the grinding department.

Mr. Mills.

1406. I think it was mentioned that at the last Sheffield election 25,000 voters polled; did you make any sort of rough calculation as to how many more you thought would poll, supposing that the hours of polling were extended; for instance, do you think it likely that there might be 4,000 or 5,000 more who would poll?—I think there would be 5,000, at the least.

1407. It has been said, I think, by you that there is so strong an interest taken in politics at Sheffield that a very large number of people would, under any circumstances, desire to poll if they had the opportunity; now, supposing that no provision were made for the conveyance of voters, and that there was no canvassing, and nothing at all done to stimulate political feeling, do you think that, under those circumstances, provided that the hours of polling were extended, there would still be a very large additional number who would poll above those who have polled under the present system?—I do.

Mr. Mundella.

1408. Have you yourself ever taken any active part in an election in Sheffield?—I have.

1409. Is there practically much canvassing in Sheffield; is it not almost entirely done by public meetings?—No; there is a little canvassing.

1410. Who does it?—Friends of the candidate.

1411. It is always volunteer canvassing, is it not, when it is done?—I believe that the canvassers are often appointed at the representative meetings. There are committees.

1412. There are no paid canvassers, are there?—Not that I am aware of; I never was paid; I never received a farthing.

1413. Did you ever know anybody who was paid at a general election at Sheffield?—I did not.

Mr. Mills.

1414. You do not, perhaps, know absolutely whether any candidate has paid any canvassers or not?—I do not.

1415. But as a matter of fact, you say that canvassing and public meetings go on, and that there is the machinery which exists more or less in other places for stimulating public opinion at the time of elections?—There are plenty of public meetings.

Mr. JOHN JACKSON, called in; and Examined.

Mr. Mundella.

1416. You are the Chief Constable of Sheffield, are you not?—Yes.

1417. How long have you been chief constable?—Twenty years next October.

1418. You have seen a good many contested elections in Sheffield during that time, have you not?—I have, both municipal and Parliamentary.

1419. Is there generally a pretty strong feeling in politics in Sheffield?—Yes.

1420. From what you know of the inhabitants of Sheffield, they take a keen interest, keener  
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Mr. Mundella—continued.

than in most towns, in political affairs, do they not?—Yes, I think they do; they take a very keen interest, certainly.

1421. During the recent elections since the extension of household suffrage, have you had any disturbances of a serious character in Sheffield at all?—Not of a serious character.

1422. The last election was an exceedingly exciting election, was it not?—It was.

1423. And yet there was not, I think, the least disturbance of any kind, was there?—No, there was a little horseplay, but very little.

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1424. Should

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Mallinson.

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Mr. Jackson.

Mr. Jackson.

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Mr. Mundella—continued.

1424. Should you consider that if the hours of polling were extended it would entail any risk of serious disturbances or riots in a town like Sheffield?—I think it would altogether depend upon the period of the year when the election took place. I think Parliamentary elections and municipal elections differ a good deal. Municipal elections occur once every year, and of course the law fixes the period in November when the election is to be held; but, with the exception of the City of London, I do not know that any inconvenience would take place if these elections were held at Midsummer instead of November.

1425. Both your Parliamentary elections since 1868 have taken place in the winter, have they not?—One took place on the 17th of November, and the other on the 4th of February.

1426. In both instances there was an unusual amount of interest?—Yes.

1427. And practically there was no disturbance, was there?—No disturbance.

1428. Do you think that if the Parliamentary elections should fall in the winter, and if the hours were spread from eight o'clock in the morning till eight o'clock in the evening, and the poll were declared the next day, there would be any danger at all to the peace in your borough?—I am not so sure about that; but I think there would be many inconveniences in keeping the poll open in the dark.

1429. Will you state what they are?—In the first place, the polling booth is not a place permanently made or specially adapted for the taking of votes at an election. A room, say like this, is taken; voting compartments are arranged all round, there are no means of lighting those compartments at present, and it would require extra gas fixtures or lamps; and in the case of any disturbance, a mischievous person might turn out the gas or knock over the lamps, and the ballot box might get kicked over, and probably broken open, and a good deal of mischief might result.

1430. Are you aware what kind of rooms the elections are usually held in?—Generally in school rooms.

1431. Are there no means of lighting the school-rooms?—Yes, in the centre, but not the little voting compartments on each side; it would require a light in each voting compartment.

1432. If the election took place in the winter, it would require a light of some kind in each of those places where the voter marks the voting paper?—Certainly.

1433. Do you think that there is any danger of anybody getting at the ballot boxes under your management in Sheffield?—I presume that if a law is asked for at all, it will not be asked for to apply to Sheffield only. I yield to none in my faith in the peaceable disposition of the Sheffield people, but I would much prefer to see very large congregations take place in the streets and about the polling booths in the daylight rather than in the dark.

1434. Do you think that the present system of voting tends to large congregations gathering round the polling places?—Yes, and in the streets.

1435. Did you ever see at the recent Parliamentary elections, large congregations about the polling places?—Not at Parliamentary elections, but at municipal elections I have; and that is

Mr. Mundella—continued.

why I said in the outset that I would divide the two. I think that the two kinds of elections are different, and I would make different arrangements for each.

1436. Then your impression is that, with regard to the municipal elections, the contest being purely local in the ward, there is more excitement than there is at Parliamentary elections?—I mean to say that there are more people about the polling booths.

1437. But at the Parliamentary elections the crowd is more diffused; it is general all over the town?—Yes, and at Parliamentary elections in later hours of the day the tendency is to concentrate, to come more into the centre of the town. At municipal elections that is not so; the excitement is kept up round about the polling booths in the districts.

1438. Are you aware whether there is any feeling amongst the workmen in favour of extending the hours of polling?—Yes, there is, undoubtedly.

1439. You have heard the evidence of the previous witnesses; do you not think that it is an honest feeling, and that there is a real difficulty in getting away from their work?—Yes, I think there is.

1440. You know the great works in Sheffield, and you know the character of the work that is performed there; it is difficult, is it not, for many of the men to leave their trades during the polling hours?—There is not a doubt of it.

1441. You heard the statements as to the population, and as to the area of Sheffield; do you agree with Mr. Wilson as to his general statements in that respect?—The area of Sheffield is 23,000 acres, or pretty nearly 36 square miles.

1442. At what is the population estimated now?—The Registrar General's last estimate of the population of Sheffield is 289,600, but I think that is an excessive estimate; I do not think it has increased so rapidly during the last seven years.

1443. The number of voters has been stated as 40,000?—The number of municipal voters is 43,682, and the number of Parliamentary voters is 38,707; I take that from a small book called the "Corporation Hand Book."

1444. At the last election there were 39,000 and odd voters, I think?—There are slightly fewer now.

1445. You have admitted that there is a great difficulty on the part of the working men in many of the trades in Sheffield recording their votes?—Yes.

1446. And there is a general feeling on the part of the working men that they ought to be able to record their votes at a general election?—Yes.

1447. Have you any proposal by which that requirement can be met?—If you will allow me, I will answer as to the municipal elections and the School Board elections first. I would change the period of the year at which the election is to take place, and put it at Midsummer instead of in November. I would make the hours of voting from 12 at noon until seven o'clock in the evening; that would take in the dinner hour in the beginning, and it would leave the working men an hour after the time when they ordinarily leave

*Mr. Mundella*—continued.

leave work in the evening, in which they could go and vote.

1448. What would you do with respect to Parliamentary elections?—As to Parliamentary elections, I could not undertake at present to recommend that the poll should be kept open any later than it is now.

1449. Then you would practically exclude a large number of working men from voting at all, would you not?—Those elections only take place once in four or five years, which is a very different thing, and I think a working man wanting to record his vote would not hesitate to sacrifice the short time necessary to enable him to walk to the polling booth.

1450. Is it not rather an ugly thing for a popular candidate, and also for the electors, that a number of the electors of the working men class should be practically prohibited from recording their votes?—The notice that I had to come here was exceedingly short, and I did not know at all upon what points I was likely to be questioned, and therefore I have not made any inquiries among the employers, but judging from the enormous number of people I saw in the streets on the afternoon of the general election in Sheffield, I should say that there were singularly few remaining at their work. I am inclined to think that the latter half of a general election day in Sheffield is very much kept as a holiday; no doubt there are some men working, but as I have already stated, that is a matter into which I have not inquired; certainly the streets were enormously crowded.

1451. But we can always get a very large crowd in Sheffield at very short notice, can we not?—That is true.

1452. An ordinary meeting, when all the business is going on, will sometimes amount to 15,000 or 20,000 people, will it not?—Yes.

1453. And you have seen that square which is so classically called Paradise-square, on an ordinary business day, overflowing, and crowds going away, have you not?—Frequently.

*Mr. Alfred Gathorne Hardy*.

1454. You have come here as chief constable of Sheffield to give your evidence on the subject of disturbance and difficulty in regard to the public peace?—I was not aware what I had come to speak of; but the preservation of peace is the matter more immediately under my charge.

1455. That is the subject upon which you have special knowledge, at any rate?—Yes.

1456. Admitting the inconvenience which would exist of some working men not being able to record their votes, yet, in your opinion, the danger of rioting and disturbance after dark is sufficiently considerable to make it inexpedient to extend the hours of polling?—Yes, though since the introduction of the ballot, there has been less disturbance; but we have seen and heard of disturbances occurring under the ballot. It is not long ago that an election occurred at Grimsby, and I saw soldiers being marched off from Sheffield to aid the civil authority in preserving the peace at Grimsby.

1457. Sheffield is, no doubt, a particularly well-behaved place; but notwithstanding that, you think it inexpedient to extend the hours of polling at Parliamentary elections into the dark 0.109.

*Mr. Alfred Gathorne Hardy*—continued.

hours?—My view is decidedly to keep it to the daylight.

*Mr. Jackson.*  
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*Mr. Halsey.*

1458. Then you would propose to have all the local elections at Midsummer?—I would; and I would have the hours of voting from 12 o'clock at noon until seven o'clock at night.

1459. At what time of the year are the School Board elections now held?—In November.

1460. You say that there was a little horseplay at the last election; I suppose that it is possible that if the hours are greatly extended, on a dark winter's night, there might be a little more horseplay?—Yes, when you get a large crowd assembled in the dark, the folly of a single indiscreet person might do great harm.

1461. It might turn a good-humoured crowd into a dangerous one?—Unquestionably.

1462. If the hours of polling at these elections were extended, you would think it your duty, in spite of your good opinion of the people of Sheffield, to take very considerably increased precautions for the preservation of order?—Yes, for I have no hesitation in saying that it is a matter of very devout thankfulness with me when an election is quietly got over in Sheffield.

*Dr. Cameron.*

1463. You have spoken about the necessity of gas being introduced into the polling booths as constituting a difficulty; but I suppose you are aware that in London for years past the School Board elections have been conducted between the same hours, and that gas has been introduced in the booths?—I am not aware of that; it may be that they have rooms specially adapted for the purpose.

1464. I suppose you have not seen the report of the Committee that inquired into the case of London last year, which has been referred to this Committee?—I have not at all.

1465. When I tell you that, in the case of the London boroughs, gas has been introduced into the polling places, and that we have never had any experience of bad consequences, I imagine that that will go a long way to overturn your objections to the use of gas, will it not?—No, I would do everything I could in daylight.

1466. Then do you consider that the population of Sheffield is so much worse than the population of London?—No, I do not. I have a very high opinion of the population of Sheffield.

1467. You may accept it as a fact which has been proved, according to the report referred to this Committee, that on no single occasion of any election in the metropolis has rioting occurred where the hours of polling have been extended till eight o'clock; do you not think that that fact is worth a good deal of theory?—Perhaps I might be able to judge better if I knew the whole of the circumstances and the amount of excitement that there was. It does not follow that you will not have a riot at the next election.

1468. That is quite true, but it does not follow that you do not have riots under the present system. You have mentioned the case of Grimsby; at Grimsby the rioting took place under the present system of short hours?—Yes, and under the present system of the ballot.

1469. Could you tell the Committee at what hour the rioting did occur?—I believe pretty nearly midnight.

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1470. Therefore

Mr. Jackson.

Dr. Cameron—continued.

3 June 1878.

1470. Therefore it was a very long time after the closing of the poll?—I am now speaking from hearsay, but I think it was pretty closely following upon the declaration of the result of the poll.

1471. Therefore, had the hours of polling been extended in the case of Grimsby, the poll could have not been declared, I suppose, till four hours later; and even if they had proceeded with the counting that night, the rioting must either have occurred at four o'clock in the morning, or there would have been no rioting at all?—That I am not prepared to say.

1472. Or if the declaration of the poll had been deferred until the next day, it would have taken place in the daylight and not in the dark?—Yes.

1473. I suppose that great danger of rioting occurs at the time of the declaration of the poll rather than at the mere close of the balloting?—It does; but the danger of rioting is always greater in the dark than it is in the daylight. Well-disposed persons do not riot, and the mischievous people who are mixed up in the crowd amongst the well-conducted ones avail themselves of the cover of darkness to commit deeds which they would probably even themselves be ashamed of in broad daylight.

1474. I quite understand that; but I merely wish to draw your attention to this, that there are two points at which the danger of rioting may exist, viz., during the balloting, and on the declaration of the poll; is it not so?—Yes; so long as you have a large number of people brought together and highly excited, the danger of rioting is present; it may break out, as I have already stated, by the indiscreet act of a single individual.

1475. There is then a danger of bringing a number of persons together at the declaration of the poll?—Yes.

1476. At the present moment I suppose in Sheffield the poll is declared during the hours of darkness?—Yes, and I think it would be an improvement if it was not declared until the following day. I am now speaking of the Parliamentary elections. At a municipal election the result of the poll is ordinarily declared in the booth, and as a rule about an hour or an hour and a half after the time at which the poll closes.

Mr. Coles.

1477. As a matter of fact, at what time was the declaration of the poll at the Parliamentary election at Sheffield in 1874?—I believe about midnight.

Dr. Cameron.

1478. An honourable Member spoke about the experience in the London boroughs, and remarked that in their cases the elections which had taken place were school board elections; but I suppose you are aware that Parliament has considered that their case for the extension of the hours of polling was so fully made out that it has passed an Act extending the hours of polling in the metropolitan boroughs for Parliamentary elections also?—I was not aware of that; the Act being a local one, I had not observed it.

1479. In the metropolitan evidence that was brought before us, we were told that at one election, I think at the last Parliamentary

Dr. Cameron—continued.

election, there was a great fog over the city; I suppose you sometimes have dense fogs in Sheffield?—We have.

1480. In that case the introduction of artificial light into the booth, so far from being a disadvantage, would be a great convenience, would it not?—Yes, if it were well arranged; artificial light is better than a fog.

1481. Under the present system you have no artificial light, and a fog would place you in a disagreeable position, would it not?—Yes, it would; but that is a contingency which does not often happen.

1482. But it has happened?—It has happened, and it may happen again; but those are extraordinary contingencies.

Mr. Coles.

1483. You say that at the last general election at Sheffield the poll was declared the same night?—Yes.

1484. I suppose that there was considerable excitement in the town as to the result?—Yes, for a long time there was.

1485. And I suppose that, naturally enough, a considerable crowd congregated near the room where the counting was going on?—Not immediately around the room where the counting was going on; it was confined more to the centre of the town and to the principal streets of the town. The counting took place in a large hall which is not quite in the centre of the town.

1486. At any rate, I take it that there were large numbers of people congregated together in certain parts of the town?—Yes.

1487. And that took place under what you call the cover of darkness?—Yes, it did.

1488. Had you any riotous proceedings to deal with that night on the part of the inhabitants?—No.

1489. And yet you say that the town was very very much excited?—It was, undoubtedly.

1490. You gave as a reason for not wishing the hours of polling to be extended, that you are afraid that riots might occur in the darkness?—Yes, and I think it would be better to have a little more experience of the working of the ballot before that step is taken; I think you might very well make a change with reference to municipal and school board elections, without going further at present.

1491. With regard to the rioting which you think might take place between four o'clock and eight, which, of course, would be practically dark in the winter, what reason have you to suppose that there would be greater riots at the close of the poll than might be expected at the time when people are waiting for the result of the poll to be declared?—I do not suppose that there would be greater riots; but, as I have already said, I think it would be better if the counting did not take place that day, so that the people might know that they had to wait until the next day.

1492. As in a large town like Sheffield it would be impossible to count the votes the same night, if the poll closed at eight o'clock, it would be rather a reason in favour of continuing the voting up till eight o'clock, would it not?—I do not see that it is any reason for continuing the poll up till eight o'clock. If you closed the poll at four, they would disperse so much the earlier.

1493. You



Mr. *Cotes*—continued.

1493. You say that the elections ought to be conducted by daylight; are you in favour of allowing the poll to be open for Parliamentary elections longer in summer than in winter?—It is impossible to fix a period at which a Parliamentary election is to take place; that depends upon the Ministry, I think; and it would be, in my opinion, an anomaly to have the poll open sometimes at one hour and sometimes at another. Therefore, I should say, leave the hours of polling as they are at present in the case of Parliamentary elections, and see what would be the effect of altering them in the case of the other elections.

1494. You said, in answer to an honourable Member, that from the appearance of the streets, you thought that almost the whole population of Sheffield was in them on the last Parliamentary election?—They were enormously crowded.

1495. You have given us the population of Sheffield as 289,000; could you tell from your experience whether there were 5,000 more or 5,000 less in the streets at a particular time?—That would be impossible.

1496. Therefore if there were 5,000 voters away from the streets, and at their work at that time, it might have escaped your observation?—Yes; but if there were 5,000 voters at work, there would be many thousands of non-voters at work also. You have a pretty fair idea whether or no people are keeping a general holiday.

Mr. *Henry Samuelson*.

1497. Did any people come into Sheffield from the neighbourhood at the last election?—Yes; from some of the adjoining villages.

1498. Those people from some of the adjoining villages might have helped to swell the crowd in the streets, might they not?—No doubt.

1499. There were some women in the crowd, I suppose?—Yes, a fair number, but not a very large number.

1500. Not more than on ordinary days?—No, I should think not.

1501. There were not more women in the street on the election day in Sheffield last time than there are generally upon ordinary days?—Not in proportion to the male population.

1502. The question I ask you is, whether there were more women about the streets of Sheffield upon the day of the last election than there are on ordinary days?—Yes.

1503. And there were people who came in from the neighbourhood?—Yes.

1504. And there were children and idlers?—There were plenty of idlers, but no large numbers of children after the streets became crowded.

1505. There were shopkeepers and clerks and people other than artizans, I suppose, who helped to swell the crowd?—Yes.

1506. Colonel Henderson told us last year, when we were considering the question of extending the hours of polling in the metropolis, that he had no apprehension whatever of riotous proceedings at Parliamentary elections if the poll were kept open until eight p.m.; but I suppose, as you hold a different opinion with regard to Sheffield, you conclude either that the inhabitants of Sheffield are of a more riotous nature than the inhabitants of the metropolis, or else that Colonel Henderson is not a good judge?

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Mr. *Henry Samuelson*—continued.

—Colonel Henderson has a very much larger force in proportion to his population than I have; for a population of 289,000 I have only a force of 320.

1507. Do you not consider that your police arrangements are sufficient to preclude serious danger of rioting in Sheffield upon any electioneering system under the open plan of voting in the old days?—Yes, I think they are sufficient.

1508. Do you think there is more likely to be rioting in four hours of darkness with elections carried on under the ballot than there was in the eight hours of open voting under the old system in Sheffield?—I scarcely know that. There is much less excitement under voting by ballot than there was under the old system; but whether or no it may be diminished to such an extent as to admit of the poll being kept open for a period of four hours longer duration I do not know.

1509. Was there any rioting that the police could not cope with before the open voting was abolished?—Not in Sheffield; but in Oldham, where I was chief constable for 10 years, there was rioting.

1510. You say that you did not find that there was so much rioting that the police could not cope with it under the system of open voting in the olden days?—Though I have been 20 years in Sheffield, I have never seen a riot there.

1511. And you think that to add four hours between four o'clock and eight to the present hours of polling would create such a total change in the disposition of the people of Sheffield as to make the danger of rioting very seriously to be apprehended by you as the guardian of the public peace?—No, I do not think that at all; but you cannot dismiss from your mind the fact that whenever you have a large number of people in a state of intense excitement, at any moment an indiscreet person may be the means of causing a disturbance.

1512. You speak with an experience, I think, of 20 years in Sheffield?—Twenty years in Sheffield, and ten years in Oldham.

1513. And you have seen crowds of people in a state of intense excitement under the system of open voting for 20 years in the elections at Sheffield?—Yes.

1514. But you have not had any rioting?—No.

1515. Then what reason have you to suppose that the disposition of the people will change, and that you will have rioting if we add four hours to the time of voting?—I fear that I have not made myself understood. I never said, or at all events I never intended to say, that I have any fear of rioting in Sheffield; but I say that, by keeping the crowds in a state of excitement in the streets until after it is dark, you increase the chances of rioting.

1516. But I understood you to say that at the last election the crowd was kept in the street until 12 o'clock at night waiting for the poll to be declared?—Many remained, no doubt.

1517. And you say you think that if the poll were not declared until the next day the people would go away at eight o'clock?—Yes.

1518. You seem to have a great fear of the use of gas in the polling booths; is it not the case that in most of the school-rooms in Sheffield

Mr. *Jackson*.

3 June 1878.



Mr. Jackson.

3 June 1878.

Mr. Henry Samuelson—continued.

Sheffield (and school-rooms are very generally used as polling booths) the fittings for gas are already provided?—Yes; but the voting compartments are very small places, with a little table in the corner, in which the voter has to mark his paper, and the light would have to be put in each compartment.

1519. It is not very difficult, is it, to place accessory gas arrangements in a room?—No.

1520. Nor is it very difficult to place the gas arrangements out of the reach of persons in a room?—No.

1521. You have great public meetings in Sheffield, have you not, sometimes?—Yes.

1522. And sometimes they are rather excited and excitable meetings?—Yes; but it is not an excitement from which there is any danger to the public peace.

1523. There is excitement, I presume?—There is excitement, no doubt.

1524. And sometimes both parties are represented at one meeting when a question is to be discussed which interests them both deeply?—Yes.

1525. Those meetings are not held by daylight, I suppose?—They are generally held in the evening.

1526. When they are held at a period of the year in which the evenings are dark, they are generally held by gaslight, I presume?—Yes.

1527. Have you ever in your experience heard of any attempt being made to cut off the gas?—No.

1528. Is it possible for ill-disposed persons in Sheffield to cut off the gas in such a way as to put the whole town in darkness?—I do not think it is possible; I do not believe that the whole of Sheffield is supplied from the same source; they would have to break up the streets and get at the pipes.

1529. In fact there would have to be a bad disposition that does not exist amongst Sheffield people?—Yes.

1530. And it would not be more likely to exist during the four hours between four o'clock and eight, than it is at the present time?—No, I do not think it would.

1531. Have you ever considered this subject before you came into the room to-day?—Not in the least before I got the notice.

1532. Have you consulted your subordinates as to their opinions about the dangers that might arise out of this improvement, as I consider it?—Sheffield is divided into six sub-divisions for police purposes, and immediately I got the notice I summoned all the officers in charge of every sub-division by telegraph, and I submitted to them the very questions that you are now submitting to me.

Mr. Barran.

1533. You say that at the last election there was a great deal of excitement?—Yes.

1534. Do you consider that an excitement such as existed at the last election, whilst I presume the people were waiting for the declaration of the poll, is more dangerous than would exist, supposing the poll to be kept open until eight o'clock; which do you consider is the more dangerous excitement of the two?—I do not know that there is any difference as far as the hours are concerned. I only wish to guard myself when I say that I would prefer, if I had to

Mr. Barran—continued.

preserve order in a large crowd, to have it in the daylight rather than in the dark.

1535. My question is this: under existing circumstances, when the poll is closed at four o'clock, people wait about until 10, 11, or 12 o'clock at night for the declaration of the poll; do you consider that to be a more dangerous state of things than would exist, supposing the poll to be kept open until eight o'clock, it being generally understood that the declaration of the poll would not take place until the next day?—The excitement, as a rule, grows the longer it is continued.

1536. Do you suppose that the people would stay in the streets all night waiting until the next day for the declaration of the poll, for the purpose of keeping up the excitement?—No, I do not think so at all; I think they would go home.

1537. Do you not think that they would be more likely to go home quietly and peaceably when the poll is closed, than they are now that they wait to hear the declaration of the poll?—I think so; and that is the reason why I say that I would close the poll at four o'clock, and not declare the result of the poll until the following day.

1538. I am not asking you as to the propriety of closing the poll at four o'clock, because it is so closed now; the question which I ask is, whether it would be wise to extend the hours of polling until eight o'clock, and whether the danger to the public from the extension to eight o'clock would be greater than it is now when the poll is closed at four o'clock, and the declaration is made the same night?—If the election occurred in winter, I say, yes. I think it would be an improvement, as I have already stated, if the result of the poll was not declared until the following day.

1539. You say that there would be considerable inconvenience experienced on account of the rooms that are now used being only temporary rooms, and accommodation not being provided in the way of light; I suppose you are aware that at the present time a great deal of oil is burnt?—Yes.

1540. And lamps could be easily fixed against the walls, which would give sufficient light for the marking of the voting papers?—Yes, there would be no difficulty, unless you assume, as perhaps I ought not to have assumed, that some mischievous person might knock the lamp over.

1541. Supposing that in a state of excitement some ill-disposed person in Sheffield should take a bottle of petroleum, and throw it into some building, and ignite it by some means, that would be a very serious thing; but you would not say, would you, that because such a thing might possibly happen, people ought not to be allowed to go about after dark exercising their rights and privileges?—No; and from my knowledge of Sheffield, I should not think that there are any persons there who are likely to do such an act; but a clumsy, awkward person might upset a lamp in a voting compartment.

1542. You think that some contingency might arise which might end in serious results, but you would not like to say that it would be caused by an extension of the hours of polling; is that so?—Yes; but I think that the length of time which the poll clerks have to stop in the booths now is pretty well as much as a man can do.

1543. You said that you thought that there would

*Mr. Barran—continued.*

would be a little danger of the boxes being kicked over; I think you have a very high opinion of the Sheffield people?—I have.

1544. They generally behave well when they get into Paradise-square, do they not?—Yes.

1545. Have you any reason to suppose that they would behave worse when they got into the polling booths, and other places?—No; but I said from the first that I wished to take into account not only what might occur in Sheffield, but what might occur elsewhere.

1546. You called together your subordinates and consulted them as to the extension of the hours of polling; did you also ask them as to the possible increase of work which would devolve upon them if the hours of polling were extended?—Not in the slightest.

1547. Would that be a serious question; would you need more policemen?—The policemen would have to remain on duty for a much longer period.

1548. Do they wait on now until the poll is declared?—Yes; at present you require a large number in the booths alone to show the people to the various voting compartments. When the poll closes those are withdrawn, and they are available then either to be sent home to get a little rest and then take duty in the streets, or to come and relieve the others immediately.

1549. Then it would increase their work?—It would increase their work. The law requires that the person presiding in every booth is to have sufficient assistance to preserve order.

*Mr. Cotes.*

1550. It is a matter of arrangement between you and the Watch Committee, and it is not ordered by Act of Parliament?—Yes.

*Mr. Barran.*

1551. The mayor, being the returning officer, is bound to use such means as will secure the peace of the borough during the election?—Yes.

1552. There would be no difficulty, I suppose, in relieving those policemen at the time of the election; a man would not be put into a polling booth at eight o'clock in the morning and be required to stay there until eight o'clock at night; you would relieve him during the day, I suppose?—I do not think I could.

1553. If you were changing your force from time to time you would always know where to find them; you would have your reserve, and you would know where to find the other men who had been relieved?—In Sheffield you require pretty nearly the whole force of 320 men on the day of a Parliamentary election, but not at municipal elections.

1554. Therefore, in fact, it would make it considerably harder work both for the men and for the officers?—It would.

1555. It would give you a great deal more work?—Yes.

1556. And it would increase your anxiety because, even if there were no greater danger existing, the time of danger would, as you think, be prolonged?—Yes.

*Mr. Alfred Gathorne Hardy.*

1557. You have stated, in answer to the honourable Member for Frome, that you submitted to all your subordinates the question as 0.109.

*Mr. Alfred Gathorne Hardy—continued.*

to the danger likely to result from the hours of polling being extended; what was the result of your submission of this question to your subordinates?—They are very strongly in favour of the polling ceasing with daylight.

1558. Did they think that the extension would increase the danger?—Yes; they were more apprehensive than I was.

1559. You have been asked by the honourable Member for Leeds whether this would not largely increase your work and that of your subordinates; I presume that you are not influenced in the answers that you are giving us here, and you do not suppose that your subordinates were influenced by the fact that your work would be increased in any way?—Not in the slightest.

1560. You also told us that you had some experience when you were chief constable at Oldham; would you kindly tell us what that experience was?—I was there during four elections, and we required the aid of the soldiers on two occasions.

*Mr. Henry Samuelson.*

1561. In what years?—They would be the elections of 1852 and 1857; and there were two bye elections, the one on the death of Mr. Duncaft and the other on the death of Mr. James Platt.

*Mr. Alfred Gathorne Hardy.*

1562. You were asked a good deal as to the declaration of the poll in the evening; supposing that the hours of polling were extended from four o'clock to eight, in your judgment would not the great majority of the working men of Sheffield vote between those hours after their work was over?—Knowing that the poll would be open until eight o'clock, I think they probably would.

1563. Do you not think it probable that large crowds would assemble in the streets?—Yes.

1564. At the present moment the workmen vote either at the dinner hour or at different periods all over the day?—Yes.

*Mr. Mundella.*

1565. Or not at all?—Or not at all.

*Mr. Alfred Gathorne Hardy.*

1566. Then you would have the great majority of them voting after their work was over and then congregating together?—Yes.

1567. Under those circumstances do you not think there would be much greater danger of crowds congregating and keeping together than there is at the present moment?—They take such great interest in the elections at Sheffield now that I do not think the increase would be appreciable.

*Mr. Halsey.*

1568. The honourable Member for Leeds asked you several questions about the police, and whether you anticipated a greater crowd in the streets if the polling was going on until eight o'clock at night, than there is now when they are waiting to hear the declaration of the poll; I take it that the difference would be this: that as it is now the poll is closed at four o'clock, and, therefore, all the police whom you have had on duty in the booths are available to keep order in the streets?—Yes, precisely so.

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1569. But

*Mr. Jackson.*

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Mr. Jackson.

Mr. Halsey—continued.

Mr. Cotes—continued.

3 June 1878. 1569. But if the poll was going on until eight o'clock you would have six or eight policemen in each polling-booth who would be obliged to stop there, and who would not be available to keep order in the streets?—Exactly.

1570. Consequently, in case of a riot breaking out by some mischievous person doing anything, there would be a fewer number of police in the streets available to put that riot down than you have under the present circumstances after the poll is closed?—Yes, precisely.

1571. And, consequently, if by any chance a riot did begin, there would be greater risk of its proportions becoming more serious?—Yes.

Mr. Cotes.

1572. Do you know what number of polling stations there were in Sheffield at the last general election?—I fancy there were somewhere about 20, but I am not sure.

1573. We have heard from a previous witness that the extreme length of the borough is 11 miles, and that the extreme breadth is eight miles?—Yes, I should think that is so.

1574. Therefore I apprehend that many of the polling stations would be a considerable distance apart?—Yes.

1575. From your past experience of elections, when is it that the crowd begins to assemble around the polling booths?—At a general election the crowd around the polling booth is not so very great; they come more into the centre of the town to hear the news.

1576. At what time is there the greatest pressure round the polling booths?—During the dinner hour, I should think.

1577. Is there any large press of people round the polling booths at the close of the poll?—No, not at the Parliamentary elections; they come more into the centre of the town.

1578. Then, supposing the poll to continue open until eight o'clock, you would not anticipate the assembling of any large crowds round the polling booths at the close of the poll?—No, I think not.

1579. Then, if the declaration of the poll were not to take place that night, there would be no reason why the crowd should go into the centre of the town, would there?—They come into the centre of the town because, as a rule, the principal committee-rooms of the candidates are there; and I think they would still come into the centre of the town, and into the neighbourhood of the principal committee-rooms of the several candidates, for the purpose of picking up what information they could in reference to the result. It would be mere guesswork and speculation, but still I think they would come.

1580-1. I think you said, in answer to my honourable friend the Member for Frome, that they would go home peaceably after the close of the poll if there was no declaration of the poll that evening?—They would begin to disperse.

1582. There would not be the same inducement to them to go into the centre of the town, and therefore there would not be the same number of people to deal with by the police, in case of riot, would there?—No.

1583. Therefore, *pro tanto*, there would not be the same chance of riot, if they were distributed over the town in 20 different places, that there is

now?—I think they would still come into the town.

Mr. Mundella.

1584. With regard to some local matters which have been referred to; in the first place, as to the character of the town, you have given an expression of opinion which I am afraid is not generally accepted, that Sheffield deserves and bears a very good character; you have been for 20 years in Sheffield, as chief constable, have you not?—Yes.

1585. And you have never seen a riot in that time?—I have not seen a riot.

1586. You have taken a great interest in the question of intemperance, have you not?—I have.

1587. What do the statistics as regards intemperance show in Sheffield as compared with other large towns?—They show that drunkenness is less in Sheffield than in any other large town in the kingdom.

1588. I gather that what your object to, is to large crowds in the darkness?—Yes, I say that there is always a danger.

1589. If you have to deal with a large crowd, you naturally prefer dealing with it by daylight, to deal with it in the dark?—Certainly, I can see the people, and they can see me.

1590. You have seen some big crowds in Sheffield during the last 10 years, I daresay?—I have, very large crowds.

1591. Have you ever seen a large meeting by torchlight, when I have been addressing it myself, perhaps?—Yes.

1592. When that great square has been filled with many thousands of persons until nine o'clock in the evening, and there has been no riot at all?—Yes.

1593. Notwithstanding the high party spirit which is maintained in Sheffield, is there not a great deal of fairplay and good humour always shown to both sides?—Yes, certainly.

1594. Each side respects the meetings of the other, and they do not break them up and make riots?—There is very little of that sort of thing.

1595. That being so, it is not that you apprehend riot, but that you merely say, that if you are to deal with a large crowd, you prefer dealing with it by daylight to dealing with it in darkness?—Certainly; and when I spoke of riot I was having that in view which occurs throughout the country with regard to elections, and not Sheffield alone.

1596. And you mean to say that the Sheffield population will, on all questions, bear a fair comparison with any other population?—Yes.

1597. I am not sure whether my opinion and yours agree as to the last general election. I remember driving through the streets at the last general election in the afternoon with my colleague at that time in the candidature, and I did not see large crowds about; I understood that the large crowds did not come out until towards evening; was that so or not?—Yes, I saw you frequently. The large crowds, as I have explained, began to come together about the hour at which they thought information could be obtained from the several committee-rooms, as to the result of the poll at four o'clock.

1598. At the visit of the Prince of Wales to Sheffield, how many thousands were in the streets until

*Mr. Mundella*—continued.

until after midnight?—That would be impossible to say; the streets were very nearly impassable until long after that hour.

1599. We had fireworks until after midnight, had we not?—Yes.

1600. But you admit that there is an acknowledged evil to be redressed, inasmuch as the workmen cannot, after all, all of them record their votes as they desire?—I have the strongest possible feeling upon the subject; but I would proceed cautiously and I would try an extension of the hours of polling in the case of municipal elections before I dealt with Parliamentary elections, for the reason that the municipal elections occur yearly, and the others only occur every five or six years.

1601. I think the last general election in 1874 was one of the most exciting elections ever witnessed in Sheffield?—It was a very exciting election.

1602. And I think the really popular candidate, Mr. Chamberlain, was defeated, was he not?—He was one of the popular candidates, and was defeated.

1603. I think he was the most popular; but was he not defeated?—He was defeated, but, in my opinion, was not the most popular.

1604. When the poll was announced, after midnight, was there any excitement at all; was there any horseplay, or anything of a riotous character?—Nothing.

1605. People dispersed and went quietly to their homes?—Yes.

*Mr. Mundella*—continued.

1606. Supposing that the polling had gone on until eight o'clock, and that it had been known that there would be no declaration of the result until the next morning, can you possibly imagine that there would have been more likely to be disturbance at eight o'clock with the result of the poll unknown, than there was at midnight with the result of the poll known, and the popular candidate defeated?—I do not know that there would have been; but you must assume that the people would remain in the streets a considerable time after the poll closed, if it closed at eight o'clock. As chief constable I had to consider what the result would be supposing that the popular candidate, that is to say, the candidate popular with the non-electors, and with the noisiest portion of the population, was defeated.

1607. Was not Mr. Chamberlain the favourite candidate with the non-electors at the last election?—He was one undoubtedly, but he was not the most popular. I had to consider what would happen if the most popular candidate was not to succeed, and in Oldham I have seen a riot result from it.

1608. But that was under the old system, when the state of the poll was published every half-hour, and when the excitement was brewing and increasing all through the day?—That is perfectly true; the present system is short.

*Mr. Barran.*

1609. But it is good?—It is good, and I have a very high opinion of it.

*Mr. Jackson.*

3 June 1878.

*Thursday, 20th June 1878.*

MEMBERS PRESENT :

Mr. Barran.  
Mr. Burt.  
Dr. Cameron.  
Mr. Cotes.  
Sir William Cunninghame.  
Mr. Halsey.

Mr. Isaac.  
Mr. Mills.  
Sir Matthew White Ridley.  
Mr. Henry Samuelson.  
Mr. Tennant.

SIR MATTHEW WHITE RIDLEY, BART., IN THE CHAIR.

Mr. WILLIAM MARSTON, called in; and Examined.

*Chairman.*

*Chairman—continued.*

Mr.  
*Marston.*  
20 June  
1878.

1610. I THINK you come from Leeds?—Yes.

1611. May I ask you whether you appear before this Committee as the representative of anybody there?—As the representative of the Leeds and District Trades Council.

1612. Have you been long connected with that council?—About eight years.

1613. Are you the secretary?—No; I am a member representing the society to which I belong.

1614. But you were deputed to come here?—Yes.

1615. I am not sure whether we have heard anything from your trades council at Leeds before this Committee, but I presume not?—There has been no witness from our council examined.

1616. Of what number does your association consist?—Of about 4,000.

1617. Does it represent all the various trades within the borough of Leeds?—Not all the trades, but the majority of the trades.

1618. Have you ever discussed this question which is now before the Committee?—On two or three occasions.

1619. What has been the opinion which you have heard expressed about it?—The general opinion is that it is desirable, in order to enable the working classes to record their votes, that the hours of polling should be extended to eight in the evening.

1620. Have you considered whether any less extension of the hours of polling would suit you?—I do not think it would.

1621. We have had evidence from one place, at all events, I think, that seven o'clock would meet their purpose, but you think that would not be sufficient?—In a large town like Leeds, I do not think it would be of any use. The majority of the men do not get home from work before six o'clock. In some trades they leave at half-past five, and sometimes they have three or four miles to go; that is particularly the case with reference to the building trades, the men engaged in which work at distances of from one to five miles out of the town.

1622. I gather that this opinion of your trades council is based upon the knowledge that

they have, that a considerable number of electors at Leeds have been practically disfranchised by the present hours of polling?—Yes, that is the case, particularly in the building trades. There are also a number of men working at other trades, living in one ward and working in another, and they cannot vote during the dinner hour, and in some cases employers object to the men going from their work to vote. There are also a number of men placed in positions of trust, as, for instance, men in charge of machinery, and it is inconvenient for them to go away.

1623. Can you tell us anything about the hours of polling at the school board elections at Leeds?—At the first school board election the hours of polling were from one o'clock to eight, and on that occasion the numbers polled were 30,000. On the second occasion, in 1873, when the hours of polling were from eight o'clock to four, there were 24,982 votes polled; that is to say, between 5,000 and 6,000 less votes than when the hours were longer.

1624. You attribute some portion, at all events, of that decrease to the change of hours?—Yes.

1625. Have you made any representation to the authorities of Leeds that the hours of polling for the school board elections are inconvenient to you?—It has been discussed, but no representation on the subject has been made. A number of men who I know do not usually vote at either Parliamentary or municipal elections, voted on that occasion, after the hours of work.

1626. Leeds, as we have heard, is a constituency scattered over a very large area?—Yes.

1627. Men reside at some distance from their work, and practically it is some inconvenience to them to record their votes?—That is so.

*Mr. Barran.*

1628. You say that you are a member of the Leeds District Trades Council; I suppose that council, although it is a non-political association, takes an interest in questions affecting the working classes, apart altogether from political considerations?—All questions affecting the working classes

Mr. Barran—continued.

classes are discussed from time to time, apart entirely from political considerations.

1629. Of course this question has been considered by your council, and I presume that you have obtained information from time to time from the different trades as to how the workmen in those trades are affected by the operation of the Act as it at present exists?—Yes.

1630. Can you give us any information which you have received on that subject from the representatives of the different trades?—We have received communications from six branches of the building trades; I have not been able to get the number employed in the plumbers, but the number employed as masons and masons' labourers, bricklayers and bricklayers' labourers, joiners, slaters, painters, plasterers and their labourers, is 4,230, as nearly as it is possible to ascertain it.

1631. From what they have said or written, have you reason to believe that the inconvenience and loss which they have to suffer in consequence of the present limit of the hours of polling are such as to induce them to seek an extension of the hours?—Yes; various representations have been made, and I have letters giving facts where men have lost half a day, and in some cases their railway fare in addition. That is among the painters, the plasterers, the bricklayers, the joiners, and the other branches of the building trades.

1632. I daresay you are aware that a question has been put on more than one occasion as to whether an arrangement could be made to allow a man to select the ward in which he would record his vote?—I did see it hinted at.

1633. Do you think that if an elector was allowed to select the ward in which he would record his vote, that would in any way meet the requirements of the case?—I do not think, as a general rule, it would. I believe that an elector prefers to vote in his own ward.

1634. Is it your impression that it would create any confusion?—I think it would.

1635. You say that sometimes the masters object to the men leaving their work to go and record their votes; I suppose that the masters do not generally object on political grounds, but on the ground of inconvenience?—On the ground that inconvenience is caused to the firm.

1636. And frequently foremen over groups of men, or men who are minding machinery, feel that it would be a great inconvenience, and some loss to the employer, if they were allowed to leave their work at inconvenient times to go and record their votes?—Yes.

1637. I suppose that a good many of the working men object to break time?—Yes, a great many of the workmen cannot afford to break time. In the painters and other season trades, the men have to make the best they can whilst work is good.

1638. And they fail to record their votes in consequence?—Many of them do.

1639. I suppose you have read the evidence of Mr. Henderson, the chief constable of Leeds?—I have.

1640. Do you remember that he said that there were very few men who had not the opportunity of recording their votes?—I do.

1641. From what you have said now, it appears that Mr. Henderson's opinion on that

Mr. Barran—continued.

head does not accord with your experience?—I think Mr. Henderson is misinformed; he has not had any very great experience in Leeds, only about three years.

1642. Mr. Henderson stated that he had never seen people prevented from voting at noon in consequence of a large number of people being congregated in the polling booths; what is your experience as to that?—My experience is exactly opposite.

1643. You have seen a large number of people congregated at the polling booths in the dinner hour?—In the division of the ward in which I live, No. 3 Division of the West Ward, I have seen the polling booths blocked frequently during the dinner hour, from 12 o'clock to half-past one; so much so, that in one or two instances the crowd has spread half way across the street; and a number of men in the machine trades have gone away and could not vote.

1644. Supposing that the hours of polling were extended to eight o'clock, what do you suppose would be the effect during the last hour, or hour and a half, of the polling?—I think there would be a good rush during the last hour, or hour and a half, and a good many men would vote at that time.

1645. Do you think that in consequence of the hours of polling being extended to eight o'clock, the period being so much longer, the votes would be more evenly distributed?—I think they would; I think those parties who could vote during the day would do so.

1646. Those to whom voting is now an inconvenience would reserve their votes until they had finished their work?—Yes.

1647. You have said that the first school board election resulted in the polling of some 30,000 votes, as against 25,000, in round numbers, at the last election; do you attribute that mainly to the extension of the hours?—Mainly to that. No doubt many of them voted on account of the novelty of the occasion, but many voted on account of the convenience.

1648. You have, no doubt, seen it stated that evidence has been given as to the possibility, and in some cases as to the probability, of disturbances arising if the poll were kept open until eight o'clock in winter time?—I have seen it stated.

1649. Have you any reason to suppose that there would be any danger arising from that?—So far as Leeds is concerned I do not think there would.

1650. What is your opinion as to the excitement that would exist after the hour of closing the poll; do you think the excitement would continue through the night, or do you suppose that people would go away and await the final result on the morrow?—There has been considerable excitement in Leeds, but no disturbance. I think when it became known that the result would not be declared until a certain hour the next day, the excitement would subside, as it does at the school board elections. At the two last school board elections, the result of the poll was not declared until the following day; and that is also the case in the county elections.

1651. In the case of the county elections, generally speaking, the people disperse, because they know that the poll will not be declared until the next day?—Yes.

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1652. You

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Mr. Henry Samuelson.

1652. You stated that a good many classes of persons are disfranchised under the present hours; for instance, persons employed in the care of steam engines cannot possibly leave the steam engines during the hours of work, can they?—No.

1653. And it is very difficult, is it not, for smiths to get away during the hours of work?—Yes.

1654. You have heard that foremen engaged in superintending the processes of manufacture find it difficult to vote in the middle of the day?—Yes.

1655. And that they are also practically disfranchised under the present system?—Yes.

1656. Is it an easy thing for railway employes to get away to vote?—I think it would be difficult for them to vote.

1657. In Leeds, is there a very large percentage of the members of trades who work at a distance from the places where they have to poll?—A very large per-centage.

1658. And out of those, a very great number do not feel themselves called upon to make the sacrifice of losing their time in order to record their votes?—A very great number cannot afford the sacrifice of half a day.

1659. The same objection, I suppose, would apply to allowing voters, at the time of registration, to choose at which polling place they would record their votes?—I think it would cause confusion.

1660. I suppose that between the two registrations a man is very likely to change his place of work?—Yes.

1661. And he might find himself at the end of the year, when the election came on, perhaps, working further from the place which he had chosen as his place of voting than he would be from the place which would have been his polling booth according to his place of residence?—Yes.

1662. You do not think that that would answer?—No, I do not think it would.

1663. Do you think there would be any difficulty in identifying the voters if they were allowed to choose their place of polling?—I think there would.

1664. You think that, at any rate, there would be some danger of personation being attempted if that plan were adopted?—I think it would.

Mr. Tennant.

1665. What class of people are they generally in Leeds who you think would not be able to vote, and who are not able to vote now?—Men in the various branches of the iron trade, and also in the building trades: bricklayers and masons, and their labourers, joiners, carpenters, painters, plasterers, plumbers, and slaters; they complain very much of this; I have letters in my possession giving facts.

1666. Have you any idea what the number would amount to?—I have the number employed in the trades.

1667. But how many do you think are not able to vote?—I cannot say; in some of the trades it would be a good per-centage of the voters.

1668. Would it be 10 per cent.?—More than that.

1669. Have you any idea what proportion of those classes of working men, who you say you

Mr. Tennant—continued.

think cannot exercise the privilege to the full extent that they have a right to do, now vote?—A good many of them vote at a considerable sacrifice, but many of them cannot do it.

1670. Can you give us any idea of the percentage?—I could not.

1671. Do you know, of your own knowledge, whether any of the employers of labour in Leeds have refused to allow their work people to have time to go and vote?—No case has come under my own observation, but I have heard it stated by the men connected with the different trades that the employers do object, on account of the inconvenience; I do not think that there is any desire to interfere with the men in recording their votes.

1672. Of course that does not refer to any particular political party?—No.

1673. Has there not been, at any rate of late years, on the day of a Parliamentary election, a sort of general holiday in Leeds?—No, I am not aware of it; in some firms they give the men half a day, but it is not a general thing.

1674. And in the building trades it is not at all so?—No.

1675. Nor where they work by the piece?—No.

1676. I think you stated that there is some difficulty on the part of the servants employed on railways in recording their votes?—I think it would be very inconvenient for them.

1677. Do you know whether the railway companies do not, in fact, allow their servants to go and vote?—I do not.

1678. What are the practical difficulties in the way of allowing a man to record his vote at the place where he works instead of at the place where he resides?—I think it would cause confusion.

1679. In what way?—Because the men remove their occupation from one place to another in the various wards.

1680. Do they change their places of work more often than they change their houses or places of residence?—Yes, many men move their employment many times in the year; and they do not remove their places of residence.

1681. Then there may be the other case, where they remove their place of residence and stick to their place of business?—Yes; but I do not think that that is so common as the other.

1682. Do you think there would be any more difficulty in the way of identifying people so as to prevent personation, if they voted at the place where they work instead of at the place where they reside?—I think it would not be so easy to detect them if personation was attempted.

1683. Do you not think that they are as well known at the place where they work as they are at the place where they live?—I think not by the parties in the polling booth.

Dr. Cameron.

1684. You mentioned that some firms give half a day to their employes at the election times in order to enable them to vote; do they pay wages for that half day?—No.

1685. So that in that case the men are fined half a day's pay?—Yes.

Mr. Mills.

1686. Do you know what the total constituency of Leeds is?—Somewhere about 50,000.

1687. What



Mr. Mills—continued.

1687. What is the largest number that you have ever known to vote?—About 33,000.

Mr. Tennant.

1688. Do you mean at the Parliamentary election?—At the Parliamentary election.

1689. You could not tell how many voted at the general election, because there was no record kept of how the votes were split; but at the bye-election, of course we know that pretty well?—I understood that at the general election in 1868 (not the one in 1874) about 33,000 polled.

Chairman.

1690. I have before me a return which shows that at the Parliamentary election in 1874 the number of electors who voted was 31,789, and that at the Parliamentary election in 1876 the number of electors who voted was 30,446?—I was speaking from memory when I said 33,000.

Mr. Mills.

1691. Do you know what is the largest number that ever voted at a school board election in Leeds?—Thirty thousand.

Mr. Barran.

1692. That was in the year 1870, was it not?—In the year 1870.

1693. Since that time there has been a very large increase in the number of voters, has there not?—Yes; there was a decrease in the number recording their votes of between 5,000 and 6,000 at the election in 1873. At the election of 1876 it was a sort of compromise, and only about 16,000 voted.

1694. You are speaking now of the school board election?—Yes; it was the result of 16 people being nominated for 15 seats. One man persisted in going to the poll, and it necessitated a poll being taken; it was not an election in earnest.

1695. Do you think that the number of votes recorded at municipal elections during the last five or six years has increased in proportion to the increase of the population?—I do not think it has.

1696. Do you think that is caused largely by the hours of polling being such as to prevent many men from recording their votes?—I am certain of it.

Sir William Cunninghame.

1697. I understand you to be of opinion that there is a very strong and general feeling on the part of the working classes in favour of this extension of the hours of polling in the afternoon; is that so?—Yes, the extension in the evening.

1698. Were any questions asked of any of the candidates on that point at the last general election?—I do not remember whether there were or not.

1699. Has there been any petition sent up from Leeds on the subject?—I am not aware that there has.

Mr. Barran.

1700. Is it your opinion that the absence of petitions is rather because it is not a party question but a general question?—I do not look upon it as a party question.

1701. But if it had been a party question, do you not think that there would have been a 0.109.

Mr. Barran—continued.

number of petitions sent up?—Perhaps there would.

1702. On the other hand, where there is a general feeling that an alteration of the law should take place, the old adage holds good, that "what is everybody's business is nobody's business;" that is about the feeling, is it not?—That is it. I would wish to state that in the Hunslet Ward, the largest ward in the borough, with between 9,000 and 10,000 voters, a great many of the miners working at mines two or three miles out are practically disfranchised. They go to work at a certain hour in the morning, and in most cases they do not leave work until three o'clock in the afternoon. There is a very large percentage of miners, and strong representations have been made respecting them; even with conveyances many cannot get in to record their votes, the block is so great between three and four o'clock.

Mr. Tennant.

1703. But is it not a fact that the miners who go early to work, cease at an early hour in the afternoon?—They cease work at three o'clock in these mines, I am informed.

Chairman.

1704. In those cases, an extension of the hours of polling till five o'clock would meet their difficulty, would it not?—In those cases, no doubt, it would.

Sir William Cunninghame.

1705. A question was asked by the honourable Member from Frome as to whether railway employés were prevented from voting by the present hours; if the hour of polling was extended to eight o'clock, would that be of any use to railway employés?—I think it would, because they work so many hours: they work in shifts; those that are resting during the day could vote during the daytime, and the others that are working the day could vote after six o'clock at night, after the work closes.

Chairman.

1706. Is there any point upon which you have not been asked which you would like to lay before the Committee?—I have some letters giving several facts connected with the building trades stating the inconvenience and loss of time; one is from the Society of Operative Painters. (*The letter was handed in.*) The representative of the Leeds Trades Council connected with the painters states that he has never voted at a Parliamentary election during 15 years without losing half a day, and in many cases his railway fare, in consequence of being at work out of town; I have also a letter from the Society of Operative Plasterers, which I will hand in. (*The letter was handed in.*) I may say that verbal statements to the same effect have been made to me confirmatory of those opinions, by the bricklayers, masons, and other branches of the building trade.

Mr. Cotes.

1707. I see from a return which has been handed to me by the Chairman, that in August 1876, when there was a bye-election for one seat, there were 2,316 more electors than there were in 1874 at the general election; but at the same time 1,343 fewer electors recorded their votes;

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votes; I suppose I may assume that the trades which you mention were very busy in August, more so than they were in February?—Yes, the building trades would be so.

1708. Do you suppose that the smaller number of votes recorded at the second election arose from the fact that the plasterers and builders, and carpenters and painters, were unable to leave their work?—I think that would partly account for it.

Mr. Tennant.

1709. Do you not think, on the other hand, that there might not perhaps have been the same excitement?—There was very great excitement at the bye-election.

1710. Do you think the building trades were really more prosperous in 1876 than they were in 1874?—The building trades are generally more prosperous in summer than they are in winter.

Mr. HENRY JOSEPH HAGGER, called in; and Examined.

Mr. Hagger.

Chairman.

1711. You come from Liverpool, I understand?—Yes.

1712. Do you fill any official position at Liverpool?—I am clerk to the select vestry acting as the board of guardians, and I have also to act as clerk to the general vestry of the parishioners; and it is in that capacity that I have placed the returns before you.

1713. Are these returns prepared for the information of this Committee?—Partially so; one of the returns was prepared in pursuance of a resolution, a copy of which I have also handed in, at the time that the election took place; but thinking that possibly questions might be asked about the subsequent elections, I have prepared a similar set of returns for the election of 1874.

1714. Were you in 1873 and 1874 holding the same position as you now hold?—Yes.

1715. You are therefore cognisant of all these facts?—Yes; I have held the office for nearly 20 years.

1716. This was an experiment on the part of the vestry, was it?—You may look upon it as an experiment now, but it was not tried as an experiment at that time; my impression is, that the persons who proposed this, thought that they would be able to get considerable support from the labouring and working classes, and they proposed that the poll should be opened in the evening for their convenience; I may state that so far as my knowledge extends it had nothing to do with any other question; it was done for the purpose, I believe, of strengthening their own view of the particular question that the poll was taken.

1717. But at all events, in 1873, the vestry acted upon the recommendation of certain members of it, that the hours of polling should be different on various days, in order to meet the convenience of voters?—Yes; previously to that the ordinary hours of polling for parish purposes were from 10 to 4.

1718. You held the poll for eight days, between the hours of 10 o'clock in the forenoon and 4 o'clock in the afternoon; those were the old hours?—Yes.

1719. And for two days you held the poll between two and eight p.m.?—Yes; you will see from the return which I have handed in that the eight days did not come all together; they were interspersed throughout the whole time. There were five days at first, during which the poll was continued from ten o'clock to four. I may say in explanation, that the regulation of the hours of polling for the next day practically followed from the decision of the chairman to-day; and this led to a daily contest between the two

Chairman—continued.

parties, in the room where the poll was taken, as to who should be chairman the following day, with a view of controlling the question of the hours of voting. It led then to an agreement between the two parties that there should be one day's polling from 10 o'clock to 4, and the next day an evening poll; and you will see that it passed into that order after the seventh day; on the eighth day the hours were from 10 to 4, on the ninth from three to nine, and so on alternately. There were two days from two to eight, and then alternately from 10 to 4 and from three to nine for five days more.

1720. I observe that, at the annual meeting on the 13th of April 1873, a resolution was proposed, seconded, and carried, "That this experiment was, in the opinion of the vestry, a full success, as proved by the number who had voted in the respective hours, with marked order and decorum throughout"?—That resolution was passed; but I should wish to say in explanation of that, that it has not the force of an ordinary resolution of the vestry, for this reason: that no notice was given that such a question would be discussed. The poll came to a close on Tuesday, the 29th of April, in that year, and this was one of the resolutions passed at the close of the business; but the parishioners had no notice in the ordinary way that the question would be discussed at the meeting. So far as the facts are concerned, they are correctly stated in the resolution; but so far as the expression of opinion goes, it must be understood that it was limited to those present at the meeting. They call themselves "the parishioners of Liverpool in public vestry assembled," but, of course, it was necessary to the validity of the resolution that the parishioners should have had notice that such a resolution would be proposed.

1721. In fact, it cannot be fairly called a resolution of the vestry?—With the explanation that has been given that is so.

1722. What happened in the following year?—In the following year a somewhat similar circumstance occurred. The poll was continued for something like five days during the ordinary hours from 10 to 4. The same discussion took place then, as to the extension of the poll to the evening hours, and the supporters of that mode of voting were successful in securing it for three days. Then we dropped for the rest of the poll into day and evening polling alternately, except so far as prevented by casual circumstances from observing the regular alternation of days.

1723. I observe that, in 1874, you went on polling in Liverpool from the 8th of April to the 7th

*Chairman*—continued.

7th of May; was that for amusement, because it would not appear to be according to law?—It is in strict accordance with the law, but it is a very anomalous state of the law, for this reason: the chairman of the poll is bound to keep the poll open until he has given every ratepayer an opportunity of recording his vote, and if he closed the poll arbitrarily, or at an earlier date, his proceeding would be liable to be reviewed in a court of law; so that upon a matter in which any great interest is taken, we keep the poll open as long as we find a large number of voters coming to record their votes.

1724. Was there any special matter of interest that was a vexed question at the election of 1874?—It was a purely personal question as to the names of the persons nominated for appointment. For several days towards the end of the the polling it was really a question as to whether a particular candidate should be returned or not.

1725. Since that time has the same practice obtained at Liverpool?—We have had no contested election of any consequence since.

1726. How does the constituency voting at these elections compare with the municipal and Parliamentary constituency?—It is a much more extended franchise than the Parliamentary or municipal constituency, inasmuch as any person rated, or any person liable to be rated, male or female, can come up without any restriction as to length of residence and claim to vote.

1727. I observe that in 1874 the total number of persons who voted were 14,539?—Yes.

1728. Can you give the Committee any idea of what proportion that bears to the total constituency?—The number of assessments in the parish exceeds 46,000. Then, of course, one person may be rated for several assessments. I cannot tell you exactly how many persons are qualified to vote; but there are 46,000 assessments, and every person rated for premises who has paid his rates is entitled to vote, or if he has not been in occupation of the property for a certain length of time which would render him liable to the payment of rates, he is able to vote simply in consequence of his liability to pay for the future.

1729. Could you give us any approximate idea of the number of the constituency?—It is verging on 40,000.

1730. And although the poll was open for a month 14,000 was the total number that voted?—That was so; but it was a parish election, and in a parish election, of course, there is no very great amount of interest aroused except amongst people who devote themselves to local affairs.

1731. Then I do not understand you to come here and say that we can deduce any very valuable precedent from this with regard to Parliamentary and municipal elections?—I come here simply to answer questions; I have not come to give evidence in favour of any particular view.

1732. Having taking an interest in elections of this kind, have you taken an interest also in Parliamentary and municipal elections in Liverpool?—Not to any extent.

1733. And you are not prepared to give any opinion to the Committee as to the extension of the hours at those elections?—No, I have no view upon the matter, any more than as an ordinary reader of the current newspaper literature.

1734. I observe in the resolution to which I

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*Chairman*—continued.

have referred that it is described as a great success; do you think that it can be described as a great success if only 14,000 persons out of 40,000 voted?—I should say that it was a success in this way: that many people came, no doubt, during the evening hours who would not have come under any other circumstances. It was a success to those who looked upon it in that light; and from the analysis that you have before you you will see that during the evening hours of polling more persons came to vote than came during any of the day hours of polling. You will find that in 1874, between seven and eight o'clock the average hourly polling was 184, and 165 between eight o'clock and nine, those figures being in excess of any of the hours earlier in the day. If you look at the bottom line you will see that the class of voters is shown, because in parish voting every person occupying an assessment of any value at all has one vote, and for every full 25*l.* for which he is rated he has an additional vote; and you will see that the average voting power of each voter diminishes according to the hour of the day in which the vote is taken, extending over the whole election; that is to say, the better class of persons vote during the ordinary hours of polling, and during the later hours of the day the humbler classes of ratepayers come up to vote.

1735. These elections took place in both cases in April?—Yes, about Easter. The appointment of churchwardens takes place at Easter, and the appointment of the select vestry in April.

*Dr. Cameron.*

1736. The important feature of this return, it strikes me, is that the votes recorded after six o'clock were almost exclusively those of persons belonging to the working classes?—Certainly.

1737. Whereas the average voting power in the earlier portion of the day varied from two to one and a half, indicating a rental, I suppose, of from 50*l.* to 55*l.*?—Upwards of 50*l.* It would require a 50*l.* assessment, or a rental of 55*l.* or 58*l.* a year to give a person two votes.

1738. Whereas after six o'clock the voting power averaged one?—Yes, very slightly above one.

1739. That did not indicate, I suppose, even a rental of 25*l.*?—No; any assessment what ever; an assessment of 3*l.* or 4*l.* would give a person one vote.

1740. Have you made any separation of the number of votes given before and after four o'clock?—No; I have made no analysis of the return beyond those that you have. It gives you the number of persons and the number of votes recorded during each hour of the day.

1741. From this return of 1874, it appears that out of a total of 14,539 voters, 7,497, or more than half, voted after four o'clock, although the poll was not open after four o'clock upon the whole number of days?—That is so.

1742. That I think you will allow is a very satisfactory result?—Certainly it was a satisfactory return.

*Mr. Cotes.*

1743. Do you know how many voted at any previous election before the extension of the hours?—Nothing like this number.

1744. Can you give me approximately any number?

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*Mr. Hagger.*

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Mr. Hagger.

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Mr. Cotes—continued.

number?—I am hardly able to do that, but I should think that it would be a very heavy election at which 6,000 or 7,000 persons voted; 10,000 votes would be a very high number of votes to be taken at any parish election, and I do not know that at any election previous to those two we have received more than 10,000 votes representing 6,000 or 7,000 persons.

1745. According to that calculation, nearly the whole of those 7,000 who voted after four o'clock would not have voted at all but for the extension of the hours?—There were those numbers in excess of previous elections.

Mr. Tennant.

1746. But it was a more exciting occasion, I understand?—More interest was taken.

Mr. Cotes.

1747. More than at any previous election that you have known?—I will not say more than at any previous election, but it was one of the most exciting elections that I have known during my experience.

Mr. Tennant.

1748. But I apprehend that this heavy poll of 7,000, which took place before, was during an exciting time?—Certainly; both political and religious influences had been introduced into the matter, and caused a good deal of feeling to be aroused among a certain class.

1749. I did not understand you to say that the 7,000 was the average number, but the maximum number?—That would be a very heavy poll.

Dr. Cameron.

1750. These figures that you have given now refer to 1874; was there an equal amount of excitement in 1873?—Yes, I think so.

Mr. Tennant.

1751. You think that if the poll had not been kept open at night those people would not have voted?—There would not have been so many votes taken.

Mr. Henry Samuelson.

1752. When you say that that is a satisfactory result, I suppose you mean that if the intention of an election is to elicit as many votes as possible, the system which elicits the most votes is the most satisfactory?—Yes, as affording the greatest facilities to the voters to vote.

Mr. Barran.

1753. I suppose that the extension of the polling hours gives a good deal more work to the officials?—In our case it certainly did.

1754. Do you think it desirable that the power of fixing the hours of polling should be left in the hands of the vestry?—As a rule it works very well in parish matters in Liverpool, although this election of 1874 is a very unfavourable sample of parish work when the poll

Mr. Barran—continued.

was kept open for nearly a month; but taking the ordinary run of years, the mode of electing parish officers in Liverpool, I think, gives a fair amount of satisfaction.

1755. You say that there was a contest as to who should be chairman from day to day; did that arise from a desire on the part of some to extend the hours of polling, and on the part of others to restrict them?—Undoubtedly.

1756. Was that opposition really the result of party action?—I personally attributed it to party feeling. The chairman of to-day has a considerable voice in saying what shall be the time at which the vestry shall open to-morrow; and of course if they had in the chair to day a gentleman who would say that the vestry should stand adjourned until three o'clock to-morrow afternoon, it would indirectly mean that the polling to-morrow should take place during the evening hours; and of course to those who wished to carry that view it was important that they should place in the chair to-day a chairman who was favourable to that state of things. Of course the natural chairman of the vestry would be the rector of the parish, but he did not take any interest in this matter, and he did not attend, or else he would have taken the chair; in his absence the parishioners in vestry appointed their own chairman.

1757. I think you say that the subject is not one in which the general public take very deep interest?—I do not know that I have said that; I do not think that I am qualified to speak upon that question; but the better class take very little interest in parish work in Liverpool. The trading class, the shopkeeping class, and those who are influenced by strong party feeling take an interest, of course, in parish matters; but I cannot say that the general public take a very great interest in parish elections.

1758. There is not the same kind of interest taken in those elections as there is in municipal elections, is there?—No, nothing like the same.

1759. Therefore you would not consider that this was a fair test of what the result might be expected to be in connection with the extension of hours in Parliamentary and municipal elections?—The two things are certainly not on the same footing.

1760. Judging from your past experience, should you suppose that an extension of the hours of polling would be the means of largely increasing the number of votes recorded?—I should think it certain that many persons who are now prevented from polling would vote, though I have no means of knowing except from what these figures teach me. If you throw facilities in the way of working people voting, I should think that you would have a larger number of votes recorded.

1761. In Liverpool is there much difficulty on the part of working men getting away from their work to record their votes?—I have no special knowledge upon that point. The borough of Liverpool is between four and five miles long.

Mr. JAMES FITZPATRICK, called in ; and Examined.

*Chairman.*

1762. MAY I ask you in what capacity you come before this Committee?—I come from Liverpool as Secretary of the Shipping Trades Council.

1763. I suppose in Liverpool there is a very large council; what numbers have you?—There are two councils in Liverpool. We are confined to the shipping trades alone. We do not take any other trades into the Shipping Trades Council except trade artisans.

1764. What are the numbers that your council represent?—Between 2,000 and 3,000.

1765. Are the great proportion of your members voters at Parliamentary and municipal elections?—I should say that 75 or 80 per cent. of them are.

1766. What is the constituency of Liverpool, in round numbers?—The constituency is at present 61,000 Parliamentary and 70,000 municipal.

1767. Has this subject of the extension of the hours of polling at Parliamentary and municipal elections been brought before your council?—Yes.

1768. Have you at any meeting passed any resolution on the subject, and are you authorised to submit such a resolution to this Committee?—I am; I will read you the resolution. This is a copy from the minutes: "Council meeting, 28th February 1878. A circular was then read from the Glasgow Trades Council, inviting the co-operation of the Shipping Council in endeavouring to have the polling hours at Parliamentary and municipal elections extended to eight o'clock in the evening, as the present hours of polling prevent our workmen, through inability to attend the polling booths, from recording their votes. Proposed by John Williams, No. 1, seconded by John Williams, No 2, That it is very much required to enable the working men to record their votes that the poll at Parliamentary and municipal elections be kept open until eight o'clock, and that this council adopt the best means in its power by petitioning in its favour, and that such petition be signed by the chairman and secretary." That resolution was carried unanimously, without a dissentient voice.

1769. That was upon the invitation of the Glasgow Trades Council?—It was.

1770. Have you personally had much knowledge of contested elections at Liverpool?—Yes, a good deal.

1771. You have always taken an active part in those elections, I suppose?—I have.

1772. Does your experience tally with that which seems to be the experience of members of your council generally; have you yourself ever been put to any inconvenience in recording your vote at Parliamentary or municipal elections by reason of the hours?—Most decidedly; parties who do not know Liverpool have no idea of the extensiveness of its docks; they extend for five, or six, or seven miles, besides the docks at Birkenhead.

1773. Is it the case that you and many similarly situated to yourself have sacrificed your votes, or have you sacrificed your time and your money in order to vote?—We have sacrificed our votes.

1774. Have you formed any idea to what extent the members of your council whom you represent here have been disfranchised at Parliamentary elections?—I should say that one-half of them could not vote unless they lost time.

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*Chairman—continued.*

1775. Are you in a position to give us the number of voters at the last election at Liverpool?—Yes; the number of electors on the present register is 61,146; in 1868, the number on the register was 39,645; in 1873 we had a bye-election, at which Mr. Torr and Mr. Caine were the candidates, and then the number was 52,912, or an addition of 13,267 to the number in 1868: 35,492 voted, and about 17,000 did not vote; in 1868, 32,103 voted out of 39,645; that was the year they were enfranchised, and every one who had the power to vote was rushing to vote regardless of losing the time.

1776. They took a great interest in it?—A great interest.

1777. That was a very large per-centage of voters?—It was; then at the bye-election of 1873, when Mr. Torr and Mr. Caine were candidates, as I said before, there were 52,912 on the register, that being an addition of 13,167; we had very little more voting that year, although there were 13,000 more on the register; the number who voted was then 35,492, and that left about 17,000 unpolled.

*Mr. Barran.*

1778. Can you tell me in what months those elections took place?—No, I cannot give you the months; I think 1868 was the general election.

*Chairman.*

1779. Mr. Torr's contest was during the Session of Parliament, was it not?—Yes, I think it was in the spring.

1780. Can you give us the number in 1874?—In 1874 we had 54,952 on the register, or an addition of 2,040: 38,000 voted, leaving 16,952 unpolled; that was the last general election; then the present register is 61,146, which is an addition of 6,000 since the last general election.

*Mr. Henry Samuelson.*

1781. Could you state what particular trades with which you are well acquainted suffer from inability to vote under the present hours of polling?—The great trade of Liverpool is its shipping; nearly all the men included in the shipping trades, particularly those that are not trades but organisations of working men, such as coal heavers, salt heavers, corn porters, and cotton porters, all work in gangs, and it would be impossible for one or two, or three, to leave off work without setting the whole work off altogether; shipping is not like house work, and ships must be loaded and discharged in spite of all the elections in the world, so that those men cannot possibly get away to vote.

1782. How many men are there in the shipping trades?—I suppose about 100,000 in Liverpool.

*Chairman.*

1783. Are there regular hours for loading and unloading ships?—Yes; the greater portion of the workmen commence at seven o'clock in the morning and work until five, and the tradesmen from six o'clock to five; that is in the summer time.

*Mr. Barran.*

1784. On special occasions, of course, the men work over-time?—Yes, frequently.

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1785. These

Mr.  
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Fitzpatrick.  
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Mr. Henry Samuelson.

1785. These men, you say, begin work at six or seven o'clock, and leave off at five or six o'clock?—That is so, generally.

1786. Do they generally live at a distance from the docks?—Six or seven miles from their work sometimes.

1787. How do they get to and from their work?—Some in carts, and some in 'buses, and some walk.

1788. Do any of them go by tramway?—The dock tramways.

1789. So that if they could leave their work it would be practically impossible for them to get to the poll to vote without sacrificing not only their time, but a railway fare, or a 'bus fare, or something of that sort?—No, they could not get to it in the hour at all. At the present time it takes me above an hour to go from my own house to my employment, if I walk it.

Dr. Cameron.

1790. You have told us that there are two trades councils in Liverpool; what does the other trades council represent?—All the town trades.

1791. Is their opinion in this matter precisely the same as your own?—I have got a resolution which they passed at their last meeting. I thought their secretary would have been summoned here, and he would have been able to give valuable information with regard to their trades. The other trades council has a far greater number of trades than the Shipping Trades Council has, which comprises shipwrights, block-makers, ship smiths, and so on. This other council represents about 30 trades, and contains about 4,000 or 5,000 members. We get the returns every year, which we give to the Congress of Labour, or the Parliament of Labour.

1792. What was the resolution which was passed?—"Council meeting, 7th February 1878, Mr. Williams presiding; Mr. John George Maxwell, a Conservative, proposed, and Mr. Rowlands, a Liberal, seconded, That the extension of the hours of polling being a matter of the utmost importance to the working classes, this council is prepared to co-operate with the Glasgow Trades Council, by using its best endeavours to carry such a measure successfully through Parliament. Signed, on behalf of the council, Alexander Clarke, secretary. To Mr. Fitzpatrick, Liverpool." That was the resolution of the General Trades Council, as it is called.

1793. In the Liverpool Trades Council, as I understand, there is a very considerable proportion of Conservative working men?—Yes, in both.

1794. And they do not regard it in any respect as a party question?—In no way whatever.

1795. In fact, both parties of the working men are unanimous as to the propriety of extending the hours of polling?—Both parties; and not only the delegates who form the council, but among the representatives of the different trade, I have never heard a dissentient voice upon the subject. There is no party feeling in the question.

Mr. Isaac.

1796. I think I understood you to say that, at the first election after the franchise had been extended, you polled 32,000 voters out of 39,000?—Yes, at the election of 1868.

1797. And you accounted for that by its being

Mr. Isaac—continued.

the first election after they had got the franchise?—That is how I accounted for it.

1798. At the second election what happened?—At the second election, in 1873, although we had 13,267 more voters on the register, we only polled about 3,000 more than we did in 1868.

1799. Consequently the electors did not take so much interest in the second election as they did in the first one?—No; it was something like a new broom; they had the chance for the first time in their lives.

1800. If they had chosen to have voted, they could have done so within the time, as well as they did in 1868, could they not?—No, they could not. I stated, in the first instance, that they were obliged to lose their time, because they were not paid for any lost time.

1801. I suppose that during the election of 1868, the vessels were being loaded in the docks in Liverpool, the same as they were in 1873, and the men found no difficulty in getting away from their work on that occasion?—They were loading then.

1802. So that, as a matter of fact, if people choose to record their votes they can do it without any difficulty?—Only by losing their time.

Mr. Henry Samuelson.

1803. A man might be willing to sacrifice his money by going up to record his vote, but his family would then suffer as much as the man himself, would they not?—Undoubtedly it would be a loss to his family.

1804. A man feels that he has no right, because of the interest which he takes in political affairs, to sacrifice money which may be very useful at home?—Yes.

1805. And it is not only once in every three or four years that an election happens, because there are municipal elections every year?—Yes.

1806. And the working men do not feel that, as a rule, it is right that they should be compelled to put themselves in such a difficult position as either to have to sacrifice their votes, or to have to sacrifice money which would be useful to their families?—They do not wish to sacrifice money that would be useful so long as the time can be extended without any difficulty.

1807. If there were no remedy they would be willing to make the sacrifice?—Yes.

1808. It has been suggested that it would be possible for working men to be allowed at the time of registration to select at what polling place they would record their votes, so that they might, if they choose, select a polling place near to their place of work; in Liverpool it would be quite impracticable for them to do anything of the sort, would it not?—We could not adopt any such system in Liverpool, for this reason: the docks in Liverpool run north and south, and a man may be at the south end in the morning, and he may be at the middle or Prince's Dock in the middle of the day, and he may be at the extreme north end in the evening.

1809. You think, in fact, that it would be impracticable?—There is no town in the country worse than Liverpool for that.

Mr. Barran.

1810. You base your objection to the present hours of polling largely, I take it, on the impossibility of men getting away from their work?—That is so.

1811. If



*Mr. Barran—continued.*

1811. If they were willing to do so it would be a very great inconvenience to their employers, would it not?—Amongst the men employed at shipping, and who work in gangs at loading and discharging ships, if a man were determined to record his vote, if he took such interest in municipal or Parliamentary elections and wanted to vote, unless the whole gang went it would stop the whole gang, and if he went individually he would lose his job.

1812. So that the penalty which he would

*Mr. Barran—continued.*

have to pay in many instances would be far beyond the sacrifice of wages; it would be the sacrifice of his employment?—It would be the sacrifice of his employment.

*Chairman.*

1813. Is there any other point which you wish to mention to the Committee?—No, I have given the opinion of our council, and of the workmen in Liverpool generally upon this question.

*Mr. Fitzpatrick.*  
20 June  
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*Mr. WILLIAM SHARP, called in; and Examined.*

*Chairman.*

1814. You come here as a Delegate of the Birkenhead Trades Council, do you not?—Yes.

1815. Does your council represent the general trades of Birkenhead, or only the shipping trades?—All trades.

1816. What is the number represented by your council?—About 2,500.

1817. I need hardly ask you whether it is composed of men of different politics?—We are divided; there is no one party there.

1818. What is the Parliamentary constituency of Birkenhead?—At the last Parliamentary election it was about 6,800. The revised list is not complete yet, but at the municipal election there would be somewhere about 10,000 votes.

1819. Have your council considered this question of the extension of the hours of polling?—Yes, we have discussed the question in the council.

1820. Have you a resolution which was passed there?—Yes, a resolution was passed that we supported the extension of the hours of polling.

1821. Was that a resolution unanimously passed?—It was unanimously passed and entered in the minute book.

1822. That being so, let me ask you as to your personal experience; I gather that you have taken an interest in Parliamentary elections for some time?—I have done so.

1823. Does your experience extend over many years?—Yes.

1824. I think there have been three or four contested elections at Birkenhead since 1868?—Yes, but I have not taken any prominent part in them.

1825. But you have been desirous to record your vote?—Yes.

1826. Have you been prevented from recording your vote by the hours of polling?—I have always made it an object to record my vote, whatever the consequences might be. I have lost time to do it, and many a time by my stopping off work I have knocked off others. I did not care about knocking off myself, but knocking off others grieved me more than my own case.

1827. What trade are you concerned in?—Boiler making and iron shipbuilding.

1828. You have not always, I gather, found it impracticable to vote, but you have done so at a great sacrifice, not only to yourself, but to the men who are working with you?—Yes, a very great sacrifice.

1829. I gather from that that you live at some distance from your work?—Yes; sometimes my work will lie at one end of the town of Liverpool and sometimes at the other. The

*Chairman—continued.*

grave docks are at the extreme end, both north and south, and taking the ferry as a centre, it would be utterly impossible for me to go across from Liverpool to Birkenhead and vote during the dinner hour.

1830. You shift your place of work much oftener than you shift your place of residence, I suppose?—We rarely shift our place of residence, because, if we did, we should have to be shifting every month.

1831. Is it the custom in your trade to come home to dinner?—When you happen to be working at a place where it is convenient you can do so. If I was working at Mr. Laird's, and living where I do, I could do so; but working in Liverpool, it would be an utter impossibility.

1832. You could vote at present, working where you do now?—I could.

1833. At all events, a large proportion of your council are not so situated at this moment, and they could not vote?—A very large number could not, because now 800 or 1,000 go across the river every morning.

1834. And those men could not get away during the dinner hour to come and vote, even if they gave up their dinner?—No, even if they gave up their dinner hour, and had a cab waiting for them and all, they could not do it.

1835. You have an hour, I suppose, for dinner?—We have an hour for dinner.

1836. Is what you say with regard to the iron shipbuilding trade the case also with regard to the other trades which you represent?—Yes; and many trades are worse situated than we are, such as warehousemen, painters, and plumbers, who have to go to the extreme end of the town, as far as Waterloo, Crosby, Edgehill, and all the outskirts, and it is eight o'clock at night, perhaps, before those men get home, after leaving work at half-past five o'clock.

1837. Then if it is eight o'clock before they get home they would not be able to vote even if the poll was kept open until eight o'clock, would they?—Those are the extreme cases that I am speaking of.

1838. I suppose you would admit that provided that voters can record their votes, it is not desirable to keep the poll open longer than is absolutely necessary?—Eight o'clock we think a very fair hour.

1839. In your opinion that is a necessary extension, in order to enable persons to vote in Birkenhead?—Yes.

1840. Have you considered whether any shorter extension than the four hours which you now suggest is practicable, or have you simply, upon

*Mr. Sharp.*



*Mr. Sharp.*20 June  
1878.*Chairman—continued.*

upon the invitation of some other body, discussed the extension of the hours of polling to eight o'clock?—No; I think from my experience that eight o'clock would be a very fair hour.

1841. We have had evidence from one very large borough that seven o'clock would amply meet their necessities; but it would not do, you think, in Birkenhead?—It would not do much good.

1842. You cannot give us any figures probably of the number of your own members who were prevented from polling at the last election by the limited hours of polling?—There were about 900 votes not recorded, but I cannot say whether those were all working men or not.

1843. But out of the 2,500 members of your council who would naturally, I suppose, take an interest in political matters, could you give us any notion as to what proportion were prevented from voting?—Probably 500.

1844. That is to say, men who, without any desire to find an excuse for not voting, were unable to vote by reason of their work keeping them away from the place where they were registered during the hours from eight o'clock to four?—Yes.

*Dr. Cameron.*

1845. Your trades council is not connected with any side of politics, is it?—No, it is divided. There are Conservatives and Liberals, and all.

1846. You yourself are a Conservative, I think?—I always was one.

*Mr. Cotes.*

1847. You have told us that there are 10,000 municipal electors in the borough of Birkenhead, I think?—Yes, since the incorporation.

1848. You have been recently incorporated at Birkenhead, I think?—Yes.

1849. And you have recently had an election of town councillors?—Yes.

1850. I believe that at that election every ward was contested, was it not?—Yes, very warmly.

1851. Do you know how many electors recorded their votes at that town council election out of the 10,000?—I could not say. The revised lists are not completed yet.

*Mr. Henry Samuelson.*

1852. In Birkenhead one of the large employers, at any rate, closes his works during the dinner hour on the election day, does he not?—It has been done.

1853. It has been generally done at Laird's works, has it not?—Yes.

1854. Do you consider that to be an advantage?—No. From time immemorial I suppose,

*Mr. Henry Samuelson—continued.*

the works have been closed, but it is the men's own fault entirely; they have no need to do it; they have done it voluntarily.

1855. The men lose half a day's pay, of course, whilst the works are closed?—They lose half a day or a day, as the case may be.

1856. Do you think that the fact of a great number of men being thrown out of work for half a day adds at all to the likelihood of disturbances in the streets?—No, I do not think it has anything to do with it, because there is always a rough element, no matter what time it is; but the working classes have nothing at all to do with it.

1857. Were cabs much employed at the last election in Birkenhead?—Yes, there were cabs in rows at the ferry waiting for the workmen coming across the river to go and record their votes.

1858. Were they employed equally by both sides?—Yes, equally by both sides.

1859. Is there any objection on the part of working men sometimes to enter the cab of a particular candidate, because they do not wish it to be known on which side they are going to vote?—In my experience they have a great objection to enter any cab; they would much rather go on their feet and do it manfully as an Englishman ought to do, without going in a cab or anything else.

1860. And you think they would be able to go in a great number of cases if the poll were kept open until eight o'clock at night?—Yes, decidedly.

*Mr. Barran.*

1861. You say that it has been the rule to close the works of Messrs. Laird on election days for a long time?—The men themselves do it; it is not the firm.

1862. That is to say, the men have not gone back to their work?—No, the men have not turned up; they know that it is election day, and they have taken advantage of it.

1863. Supposing the hours of polling to be extended to eight o'clock, is it not very likely that the men who had hitherto broken their time from noon of that day would continue to work up to half-past five or six o'clock, and after that time go and record their votes?—Yes, I think so.

1864. That being the case, do you not suppose that there would be very much less drinking in consequence of that, and less liability to disturbance?—A very great amount.

1865. Therefore you would infer that the extension of hours would really diminish the danger of disturbance?—Most certainly.

*Mr. JAMES FITZPATRICK, re-called; and further Examined.**Chairman.**Mr. Fitzpatrick.*

1866. I UNDERSTAND that there is some other point which escaped your memory when you were being examined before the Committee just now, and which you wish to mention to us?—I wish to speak with regard to some of the municipal elections which take place constantly; in Liverpool there are 16 wards, and with the exception of three or four they are all what may be called working men's wards; at the last election

*Chairman—continued.*

which took place in the North Toxteth Ward, there was very great competition between the two different parties, the Liberals and the Conservatives; North Toxteth Ward is decidedly a working men's ward, and the constituency is 6,368, but only 3,883 recorded their votes in 1877, though there was great interest taken in the election.

1867. Do you attribute that entirely to the present

*Chairman*—continued.

present hours of polling?—Entirely; it was impossible for men working at the north end of the town, five or six miles away, to come and vote.

1868. You have reason for knowing that to be the cause?—I knew that to be the cause; then a bye-election took place in 1878, in the same ward two months since, on the death of one of the members of the council; there were 6,368 on the register, and 3,164, or less than half, recorded their votes at that election.

1869. Then this further matter that you have come to mention to us, points also to the same conclusion, that in municipal elections also you think that the hours ought to be extended?—Yes; just so.

1870. Do you take an interest in school board elections?—No; we never had but one school board election in Liverpool.

1871. You arrange your affairs happily in Liverpool?—Yes, we arrange them so that each side is satisfied.

*Mr. Mills.*

1872. Was there anything exceptional in that particular municipal election to which you have alluded, to make you think that there, more than in any other election, the cause of the small number recording their votes, was this difficulty about the hour of polling?—I mention North Toxteth as being a recent case, where less than one-half of the electors recorded their votes through their incapability of attending the polling booths during the working hours.

1873. I think you said that for some cause that election attracted special interest?—Yes, special interest; we conduct all our elections in Liverpool on political principles.

1874. So they do in most places, I believe, but was there anything in this particular election which made you say that the reason why so small

*Mr. Mills*—continued.

a number recorded their votes, was in consequence of the difficulty about the hours of polling?—Just so. I will give you another instance. At the election for Scotland Ward in 1877, there were 9,453 on the register, and yet only 4,148 voted, leaving 5,305 unpolled.

*Mr. Cotes.*

1875. Is that a working man's ward?—Yes.

*Mr. Mills.*

1876. You say that in both those cases there was special interest felt in those particular elections, and that yet so small a number polled?—Yes.

*Dr. Cameron.*

1877. In fact the point of your evidence regarding these municipal elections is precisely the same as that given in the case of Glasgow, I think; that whereas in the wealthier wards a considerable proportion of the electors polled; in the working men's wards a very small proportion, and in some cases a minority only polled?—That is a fact. For instance, in Castle-street Ward, where the merchants and the largest shopkeepers are, out of 1,753 on the register, 1,173 voted at the last election; so that out of 1,753 only 580 did not record their votes. There are very few working men in that ward, and St. Peter's Ward as somewhat similar.

*Chairman.*

1878. Generally speaking, throughout Liverpool in the working men's wards, in consequence of the present hours of polling, very few working men vote?—In fact they might be disfranchised altogether.

1879. Is there any other point that you wish to mention to the Committee?—I think not.

*Mr.  
Fitzpatrick.*  
20 June  
1878.

*Thursday, 27th June 1878.*

MEMBERS PRESENT:

Mr. Barran.  
Mr. Burt.  
Dr. Cameron.  
Mr. Cotes.  
Sir William Cuninghame.  
Mr. William Edward Forster.  
Mr. Halsey.

Mr. Isaac.  
Mr. Mills.  
Sir Matthew White Ridley.  
Mr. Henry Samuelson.  
Mr. Tennant.  
Mr. A. Gathorne Hardy.

SIR MATTHEW WHITE RIDLEY, BART., IN THE CHAIR.

Sir JOSEPH HERON, called in; and Examined.

Sir J. Heron.

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*Chairman.*

1880. You were, I think, for some time Town Clerk of Manchester?—I may say that I still hold the office of Town Clerk of Manchester, under a somewhat changed character.

1881. And you have for many years held that position?—It is a question which I always feel some delicacy in answering. I am sorry to say I do not know how many years I have held it, but I should think for very nearly 40 years now.

1882. At all events, you have an accurate knowledge of Manchester, and you have been familiar with many of the election experiences of Manchester?—During the whole of that period I have had the management of all the elections which have taken place, whether school board, municipal, or Parliamentary elections.

1883. You are aware that this Committee is sitting to inquire as to how far it is necessary, and, if necessary, how far it is practicable to extend the hours of polling for Parliamentary and municipal elections in boroughs, other than the metropolitan boroughs?—I am.

1884. We shall be glad to have your opinion as to whether such an extension is necessary in Manchester, or whether there are objections to it?—So far as Manchester is concerned I may speak without any hesitation, and say that we are of opinion, so far as I know without any dissentients, that it is neither necessary nor desirable to make any alteration in the hours of polling at present fixed by law. That is decidedly the opinion of Manchester; and I may say also that I can speak not for Manchester only, but for a large number of corporations. You may, perhaps, be aware that there is existing an association of municipal corporations, in which, I think, about 138 or 140 municipal corporations are associated together, who discuss and deal with all legislation affecting the interests of municipal corporations. This subject was brought before them at a general meeting of the association last year, when it was being agitated more or less in consequence of the proposed clause in the metropolitan district. Of that meeting I have not, I am sorry to say, got the exact particulars, but I think there were up-

*Chairman—continued.*

wards of 30 corporations represented; and I myself brought the subject before them, because I had even then received an intimation that I should probably be examined. At that meeting they were unanimously of opinion, with the exception of the gentlemen representing one corporation, that any change was undesirable. We had a meeting of the managing committee of the association last Tuesday, which was naturally not so numerously attended; but at that meeting we had representatives from Liverpool, Sheffield, Oxford, Bath, King's Lynn, Kidderminster, Cambridge, Salford, Nottingham, and Hanley; and with the exception of those gentlemen who represented Hanley there was not a difference of opinion, and the resolution was unanimously passed, for even Hanley did not think it necessary to vote against it, that, in the opinion of the gentlemen present, it was neither necessary nor desirable that any alteration should be made in the hours of polling. So that I am really authorised to give on behalf of those corporations not only my own opinion, as representing the corporation of Manchester, but also the opinions of the corporations which I have named, for it was understood that I was about to be examined before this Committee.

1885. We have had a certain amount of evidence brought before us to the effect that in many large constituencies, and especially in scattered ones, a proportion of the voters are practically prevented from voting by the present limit of the hours of polling, arising from the fact that they have to go some distance from their homes to their work, so that during the dinner hour it is impossible for them to get back to the polling places where they have to record their votes, and that consequently they do not vote; you say that in your opinion it is not desirable to extend the hours at Manchester; have any complaints ever been made to you that any classes of voters have been prevented from voting, or that any inconvenience has been felt?—Never. I am speaking for myself and Manchester, leaving other boroughs to speak for themselves. So far as Manchester is concerned, we have never had any complaint, and I think that there is no difficulty

*Chairman—continued.*

culty in voting is proved most satisfactorily by the number of votes polled. Taking the last Parliamentary election of 1874, when there were in round number 60,000 voters on the list, nearly 40,000 voted, which we consider was the full complement of votes that could be expected under any circumstances. In 1876, when there was another Parliamentary election in consequence of the death of our friend Mr. Romayne Collander, and when it was a contest between the two parties you may say, for there was one candidate of each party, and a very strong political fight, out of 62,000 voters 44,000 polled, which was considered a very extraordinary number to be polled under any circumstances. Now at a school board election (which I need hardly say does not create anything like the same interest that a Parliamentary election does, and, therefore, I do not think the figures are of so very much importance) I find that in 1873 out of 60,000 voters only about 27,000 voted. That obviously arose from the comparative want of interest in the election. With reference to the inconvenience which is naturally suggested, in the first place I have no hesitation in saying that I do not believe that there is an employer of labour in Manchester, who would hesitate for one moment to give to any party in his employ the extra time required to give his vote, if the man were desirous of doing so during the dinner hour. If the man had had no opportunity of voting during the breakfast hour, the employer would at once give the permission. It would only under any circumstances occupy perhaps half-an-hour extra; but I myself feel perfectly satisfied that the time spent by the working classes in smoking their pipes after they have had their dinner, which you may see in the neighbourhood of almost any works, if you pass along the streets, would be more than sufficient to enable them to give their vote at the polling booth. Then as regards the distance which a voter would have to go to vote, which the honourable Chairman refers to, I think that partly arises from the neglect to carry out the powers which have been given by law, because there is power for any corporation to create polling districts, and in my opinion, that power ought to be exercised so as to reduce to the lowest possible extent the distance which any voter would be required to go, in order to give his vote at the booth. That is easily done. It has been done, I know, in Liverpool to a large extent; they have now got 26 polling stations, whereas in Manchester at the last election we had only 20. You will understand that a polling place includes a great number of polling booths, I am speaking of polling places, and of those we had only 20. At this very time there is a discussion going on, and it will be urged upon the corporation by the representatives of both parties (for it is not a political matter at all), that by carrying out to a farther extent the provisions of the Act of Parliament, the distance to the polling stations might be very considerably reduced; and I have very little doubt that something of that kind will be done. That is done not so much with the view of lessening the distance which the voter has to travel, because that has never been urged as a complaint with us, but is for the purpose of facilitating the detection of any attempts at personation, which the Committee will see would arise if the polling district was largely reduced, because in that case you might

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*Chairman—continued.*

expect that the gentlemen attending in the booths to represent the candidates, would be more or less acquainted with a district, and would, therefore, be more likely to detect personation, if it were attempted; that is one ground which is urged, which I think has very great force. Another is, that it would do away, to a large extent, with the excuse for using cabs; it is not absolutely legal to use cabs, but cabs are used to a large extent in Manchester, and I daresay in many other places; and it is quite certain that if a voter is indifferent about his franchise he will perhaps go to the booth if he is taken there in a cab; and the opportunity of going in cabs is afforded, I am sorry to say, very readily by the representatives of both parties in all our elections. In my opinion, it ought to be absolutely illegal to use cabs.

1886. In your opinion, if there is any inconvenience at the present moment, it can be obviated by a proper exercise of the powers given to the corporations to multiply polling places?—Most decidedly.

1887. And that being the case, you would think it undesirable to extend the hours of polling?—Certainly. I think that no extension of the hours ought to be conceded unless a sufficiently strong case is made out by those who seek to have the change. I have stated that I do not believe there is any reason for it. I wish now to state very shortly why I think it would lead to the most serious evils, if such a change were made. In the first place I need hardly do more than refer to the difficulties which we should have in obtaining representatives to sit from eight o'clock in the morning until eight o'clock in the evening. In my opinion that would be a most unreasonable suggestion; it would undoubtedly increase the difficulty of obtaining them, and in all probability it would increase the remuneration which those gentlemen are now authorised to receive. They would not be compensated by a paltry three guineas for sitting for 12 hours a day in the polling booth, whereas now they sit half the time twirling their thumbs. That is one difficulty. Another difficulty, which is a very serious one, would be, how the returning officer possibly could make satisfactory arrangements for carrying on the poll in the dark. That speaks for itself, and I need not go into particulars; but I know the difficulty, and I know too the great expense which would arise even if it could be done. It would be absolutely necessary to have strong lights for the voter, who would have to mark his voting paper. Another objection is that in my opinion it would undoubtedly lead to disturbance and to drunkenness. It has been said, and it was said by the mayor of one of the boroughs at the meeting to which I have referred, that to extend the hours of polling was simply to extend the hours for bribery and drinking. In my opinion it would be so. The Committee will understand that under present circumstances our elections are conducted with little or no difficulty, and without much excitement. At four o'clock the poll closes, and as a rule there are very few people assembled about the polling booths; they know that they cannot receive any intimation as to the result of the poll. When the poll closes there is, as a rule, very little excitement and no crowd; but if we had the poll open until eight o'clock, I am of opinion that it would be almost impossible, or at any rate it would be exceedingly difficult to prevent

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vent disorder; and certainly nothing that the returning officer could do would prevent drinking. I may say that our municipal elections are always now unfortunately fought on political grounds, merely to test the strength of parties. Our wards are some of them very large, and the population in them is enormous; and if either at Parliamentary or municipal elections (which in the particular ward, perhaps, excite even more interest than a Parliamentary election does, which is divided over the whole of the city), the poll was open for two or three hours after labour had ceased, there cannot be a doubt that we should have crowds of the working classes assembled about the polling booths whether they took an interest or not in the particular election that was going on. They would have nothing to do but to amuse themselves with chaffing the voters on one side or the other; they certainly would occupy their time in drinking, and I believe it would lead to a large amount of difficulty in maintaining order. Then as regards the candidates themselves, when we have asked whether they thought that it was desirable to extend the hours of polling, the answer which has been made to us has been, "Certainly not; shorten them rather than increase them; anything increasing the hours of polling would be simply increasing our trouble and expense;" and it is obvious that it would. Those candidates do have cabs, and I am satisfied that it would cause a very large additional cost to them for cabs. The poor horse would probably not be benefited, but the cabman would, because he would say, "My horse can go on for eight hours, but not for 12 or 14, and I must have a change;" and they would increase the price of cabs whether they really changed horses or not. Then again, of course the candidates have a great number of committee rooms, and those committee rooms would be occupied for an additional number of hours, and the people in those committee rooms would certainly increase the cost to the candidate; and in that way I am quite satisfied that an extension of the hours of polling would lead to very considerable additional cost, not only as far as the returning officer was concerned, but also in carrying out the other arrangements.

1888. So far as cabs are concerned your opinion is rather different from that which has been expressed, to the effect that if some convenience of this kind were afforded to the working classes, there would not be the same necessity for the use of cabs?—In my opinion it would not make the slightest change. I believe that there is no necessity now to use cabs, and that candidates would use cabs to just the same extent, so long as they are legal, in order to bring unwilling voters up to the poll.

1889. They are not legal at present, are they?—The use of cabs does not invalidate the election, and therefore they do not care about it, and they easily evade the law. The question has been tried, and it has been decided by the election authorities that the use of cabs does not invalidate the election, and if does not invalidate the election you may rely upon it that it will be continued.

1890. Is there any other point that you would like to state to the Committee?—I do not think there is. My evidence simply goes to this: that I believe the evils arising from the extension of

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the hours of polling would be very great, and that the necessity for it does not, in my opinion, exist.

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1891. I think you said that employers in Manchester would never hesitate to give their men time to go and vote during the dinner hour?—That is my opinion.

1892. Is it not the case that in Manchester, voters occasionally live at some distance from where they work?—I have no doubt that it is so, but not to the same extent probably as in other boroughs.

1893. And where they do live at a distance from where they work, they poll at a distance from where they work, because their polling district is where they live?—No doubt; but my opinion is that the polling places are so numerous that no difficulty arises in any part of the city.

1894. But if the district in which a man's polling place is, is at a distance from where he works, a multiplication of the number of polling places in that district would not lessen the distance between the place where he worked and the place where he had to vote, would it?—Not necessarily.

1895. Therefore a multiplication of the polling places would not entirely cure the evil?—Not entirely; but as we exist at the present moment, without multiplying the polling places, I do not believe that the working man has any difficulty whatever in recording his vote within a very moderate space of time.

1896. But it is the case, is it not, that 20,000 men have not recorded their votes at elections in Manchester?—Yes; but I believe that you will not find in any large constituency the same proportion of voters polling.

1897. It is alleged that the reason of so large a proportion of voters abstaining from going to the poll in many constituencies is because they have not time to go and vote?—I do not believe it.

1898. An increase in the number of polling places would necessarily involve an increase of expense, would it not?—Not a very large increase of expense, because you would have the same number of officers probably, and no more than you have now. In Manchester at the last election we had 20 polling places, in which there were 110 polling stations, so that you will see that in each polling place there was a large number of polling stations. Now, I myself think, and that is what has been strongly urged by the whole of those who are interested in elections without reference to politics, that it would be very desirable to increase largely the number of polling districts. You would then only have the same number of officers and clerks, but they would be more scattered over the district in the different polling districts that might be created, and the smaller those districts could be made the better; if you could have a polling district for every booth, as it were, and no polling district with two booths, it would be a great advantage in many ways. When we have a number of polling places in the same room there is always a difficulty in a voter knowing to which booth he is to go to record his vote; and the consequence is that the presiding officers cannot prevent a good deal of touting. It is almost necessary with some of the voters who come up that

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that there should be somebody to take them at once to the booth where they can record their votes; whereas if there was only one presiding officer in the booth all that difficulty would be done away with, and, in addition, the confusion which necessarily arises where there is a large number of polling places in one room, would be obviated.

1899. If you will excuse me, I do not think your conclusion follows very directly from your premises, because it appears to me that if you increase the number of polling booths you will increase the number of touts, and the difficulty which a voter has in knowing where he is to vote?—We cannot prevent touting outside the booth, but we could prevent touting inside, and then the presiding officer could stringently carry out that regulation which is made, which cannot be carried out conveniently under the present circumstances, that only voters shall be allowed to go into the booth. We cannot prevent a man's friends from having hold of both his arms until he gets up to the booth.

1900. I understand you to say that at the present moment other persons besides the voters are admitted to the polling booths at Manchester?—That is unavoidably the case, although we try to avoid it.

1901. At Liverpool you say there are more polling places?—They have increased the number lately, and the town clerk told me last night that they are considering the propriety of increasing them further.

1902. We have had evidence from Liverpool that in spite of that increase of the number of polling booths an immense number of voters are prevented from going to the poll?—I know nothing of Liverpool except what I hear from the authorities; and the town clerk of Liverpool quite agrees with the Corporation of Manchester as to the advisability of no alteration of the hours of polling.

1903. Why are cabs used at present?—That is a question which I cannot answer, except that the excitement and interest felt in the election are so great that if an additional dozen voters can be got by cabs by using cabs, they will use cabs.

1904. We have had evidence from other places that the extension of the hours of polling will do away with the use of cabs, you do not agree with that?—I do not believe a word of it.

1905. It is said that cabs are used because men have not time to go upon their feet to the place of voting?—I do not believe it, my experience is very much to the contrary; I see the people who come up in cabs, and I know something about them. Those who manage these elections constantly tell you that the only way in which they can get votes very often is by promising a ride in a cab as a sort of bribe.

1906. That is the case in Manchester, is it?—It is human nature, and I believe that it will be the case everywhere if they can get a better bribe. Sometimes they look out for something better than a ride in a cab, but either a ride in a cab or something in the shape of a bribe will bring them to the poll when nothing else will.

1907. You think 12 hours' work a day for one day in the year, is too much?—I think it is a monstrous hardship, and it is not reasonable to expect it.

1908. Would it be impossible to get shifts of 0.109.

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men?—You must pay for them, and that will increase your cost.

1909. Would it increase it very much?—Certainly, it might double it; I say that eight hours is quite as long as anyone ought to be expected to sit continuously.

1910. Then, in point of fact, you think that you would have to pay a man as much for six hours as you pay him now for eight hours?—I think so. The amount paid has been a little increased by the Bill recently passed by Parliament. Formerly we could get them for two guineas, but now we cannot; they all insist upon having three guineas, because they say that that amount is paid elsewhere, and we now have to pay three guineas.

1911. You think that there would be a difficulty about lighting the booths, if the hours of polling were extended?—I do.

1912. Is it not a very easy thing to make temporary arrangements where gas is laid on?—It would cause a good deal of additional expense. Where you have to deal with 150 places, to be laying the gas on at all of them would add very much to the expense, to say nothing of the difficulty of carrying on the election satisfactorily in the dark, which is an infinitely greater objection.

1913. What are the hours of polling at school board elections in Manchester?—I am not certain, but I know that there is a discretion on the part of the returning officer. But with the full consent of all the parties interested, the returning officer in Manchester has adhered to the old hours of polling at the Parliamentary elections.

1914. So that you have never had an election in the evening at Manchester?—Never, and I hope that we never shall have.

1915. At present you have no difficulty, and very little excitement at your elections in Manchester?—Very little indeed. The elections go on in a most satisfactory manner, and we have very little excitement at the close of the poll; but it would be very different if the polling went on for two or three hours, when the working classes were at liberty; we should have crowds and chaffing then.

1916. You have no crowds now?—Yes, we have occasionally, and the police occasionally have to interfere. The excitement in the case of the municipal elections is sometimes very great; much greater than even at the Parliamentary elections, where the booths are all concentrated. In a ward there is sometimes a considerable crowd gathered together.

1917. Then do you wish to correct your former answer in which you said that there was comparatively no crowd?—I say still, that as a rule, there is neither crowd nor confusion, nor disposition to disorder.

1918. Is not that, perhaps, because it being utterly impossible for working men to poll at four o'clock, there are no men to make a crowd?—They cannot poll of course after four o'clock.

1919. But they cannot poll at four o'clock, because they are engaged in their employment at that time?—They can poll during the day, and they do so.

1920. But not at a quarter before four o'clock?—Yes, they could.

1921. But they do not because there is no crowd?—The voters would not create a crowd.

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1922. You

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1922. You have very large polls at your municipal elections, have you not?—Very large indeed.

1923. If the hours were extended for four hours more, do you think that you would have a larger poll at the Parliamentary elections?—I believe we should not, or else I should think that there was a reason for changing the hours; but I believe that there is no reason whatever for it; I do not believe that there would be an additional vote recorded as a result of doubling the time.

1924. At what time does the declaration of the poll take place now?—Always on the same night. The formal declaration of course takes place the next morning, but ordinarily the result of the election is declared at 10 o'clock the same night. I believe that at the last election, at which 44,000 voted, we declared the result of the election before 11 o'clock the same evening, because we have always hitherto disposed of the election and got the result signed by the mayor the same evening, in order to avoid the expense of keeping together all the people necessary to do the work for another day, because if we did we should have to pay for another day.

1925. How and where is that unofficial declaration of the poll made?—It is nearly always made at the town hall. Of course you have naturally a considerable number of people assembled together to learn the result of the poll at a Parliamentary election. There are the committee rooms of the several candidates in the neighbourhood of the town hall, the Conservative club and the Reform club, and other places all filled with people all anxious to know the result of the poll, and a crowd collects outside out of mere curiosity.

1926. Although there is no disturbance at your elections, there is a great interest felt in them, I presume?—Naturally.

1927. And I suppose that one of the most interesting times at an election is the time at which the declaration of the poll is expected to be made?—Of course; sometimes the town clerk and the mayor are almost alone on the steps of the town hall when the official declaration is made, because the mayor naturally wants to satisfy public curiosity. The press are all there, and as soon as the intimation is given to the press, there is no reason why it should not be given to the people generally.

1928. But I was speaking of the unofficial declaration of the poll; those people from the clubs are all waiting about to know it, are they not?—No doubt.

1929. And they form a considerable but an orderly crowd?—Sometimes there is a large crowd in front of the town hall. I sometimes go and tell them that there will be no declaration, but they do not care for that; they think that they will get some information by staying, and they do stay.

1930. At 11 o'clock at night?—Yes.

1931. And they do not make any disturbance?—Certainly not.

1932. Then why do you think that they would make more disturbance if the poll were kept open until eight o'clock?—I think, probably, crowds of a different character would assemble. They would not be in the centre of the town where the police are to be found, but they would be in districts occupied by the working and lower

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classes. I do not suggest that it would be the voters who would create the disturbance; I suggest that it would be the crowd in the district; and when the working people come from their work, and find that there is an election going on, it is quite natural that they should assemble around the booth.

1933. But when they come from their work and find an election is going on, and that the poll is to be unofficially declared about 11 o'clock, they assemble in the same way, do they not?—I was speaking rather of municipal elections; but still, to a certain extent, it would apply to Parliamentary elections, I have no doubt, if the poll were kept open until eight o'clock.

1934. Then in fact you would have the crowd, which now concentrates in the centre of the town, and is perfectly orderly and good humoured, divided into a number of smaller bodies infinitely less likely to create a disturbance?—No, that is a perfectly different crowd in front of the town hall, composed of an entirely different class of people.

1935. How do you form your estimate of the crowd in front of the town hall?—Because I see them, and know the sort of people that there are.

1936. And the lower class of people do not come at all?—Not at all; it is not worth their while to come down out of the outlying districts into the centre of the town.

1937. Do you think it would tend to the quietness of the election if the declaration of the poll were to be put off until the following day?—I do not think it would at all.

1938. You do not think that after four o'clock people would go home and wait quietly?—We have no special difficulty now; after the poll is closed, people generally go away.

1939. But you do not think they would go away if the poll were kept open four hours later?—I think they would at eight o'clock; because if the poll were kept open till eight o'clock, it seems to me that it would almost necessitate the examination of the votes, and finding out what the result of the election was the following day; and then of course the people assemble up to eight o'clock about the booth, and when the door was closed, and it was quite understood that there could not be a declaration of any kind made that night, they would go away. But then there is an additional objection to it, that we should have all those people brought together the next morning in order to ascertain the result of the poll. It would be an additional cost to the candidates; I am speaking of those who would have to deal with the voting papers. Now we always make the declaration a very short time after the election closes at four o'clock.

1940. Do you think that keeping the committee rooms open for four hours extra would very greatly increase the expense to the candidate?—I am satisfied that it would.

1941. Are they paid for by the hour, or by the day?—I do not know how they pay for them; but I am speaking of the expense of the various committee rooms, besides the additional expense which they would incur in cabs.

1942. I believe, as a rule, the committee rooms are kept on until after the declaration of the poll; in fact, that with the end of the day of the election the lease of the committee rooms terminates, but not before?—I am not aware how that would be. I daresay that they have one or two central committee



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committee rooms kept open until the result of the poll is ascertained; but I do not suppose that at any election at Manchester the scores of public-houses, where the committees were sitting, would be kept open until a late hour at night.

1943. Is it the general practice in Manchester to have the district committee rooms in public-houses?—I think so in a great many cases.

Mr. Barran.

1944. You say that you (speaking in the plural) are of opinion that there is no necessity for the change?—Decidedly.

1945. You speak, you say, not only in your own name, but in the name of Manchester?—Certainly.

1946. Will you explain to the Committee what you mean by "speaking for Manchester"?—Of course I consider that the corporation represents Manchester; I am bound to say so, as the town clerk; but in addition to that, I speak for those who manage elections, both Parliamentary and municipal, who believe that any extension of the hours would only increase their cost and trouble, and lead, I will not say, to actual bribery, but to possible bribery and drinking.

1947. Has there been a meeting of the persons who take an interest in elections?—No, not that I am aware of.

1948. Then how have you ascertained their opinions?—By conversation with those parties. It is not a new subject; it is a subject which has been often, and naturally and necessarily discussed in reference to what has taken place in Parliament.

1949. You have gathered your opinion from cursory observation and conversation with those who are interested in elections?—Yes.

1950. You spoke of an association of municipal corporations, and stated that the question had been considered by them; would you be kind enough to tell the Committee of what that association of corporations is composed?—This association is found for the purpose of watching.

1951. I do not want to know the purpose for which it is formed, but the persons who compose the association?—The corporations are members.

1952. Am I to understand that this association of corporations represents the whole of the municipal corporations which are associated together?—Certainly, because the corporations are members of the association by the act of the corporation itself.

1953. I think Leeds is in this association?—Certainly.

1954. Am I to understand that any member of the Leeds Corporation is entitled to attend your meetings which are held from time to time?—The arrangement is this: of course we cannot expect to have 120 or 140 people from 140 corporations coming up to every meeting, so that there is a committee of management which consists of representatives from, I think, 21 boroughs, Leeds being one. Whenever that committee of management meets, notice is given of the subjects to be discussed at the meeting in a circular, and that circular is sent to every corporation belonging to the association, with an intimation that any representative from that corporation is invited to attend.

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1955. But to whom is this notice sent?—To the town clerk, of course.

1956. Is it a general rule to read that notice at a council meeting, or to send a copy of it to each member of the corporation?—I cannot tell what they do in other corporations.

1957. Is that the rule in Manchester?—Certainly not. We have a committee who manage that matter.

1958. How are the members of the corporation to ascertain what the business is that is to be brought before your meeting from time to time?—I can only speak for our own corporation, and they have abundant opportunity of knowing what is to be discussed, and what has been decided.

1959. Will you be kind enough to explain to the committee how each member of your corporation is made acquainted with the subject which is coming on for discussion at your meetings, prior to the holding of the meeting?—What is done is this: when a summons is received for a meeting, I bring that summons before what is called the Parliament sub-committee of the corporation, and they deal with it. Their resolutions are entered on the minutes, and those minutes are submitted to the corporation at their next meeting, and confirmed or otherwise, as they may determine.

1960. Supposing that in the meantime, that minute having been entered on the minute book, your meeting is held in London, and you decide that it is undesirable to extend the hours of polling, what opportunity have the members of your corporation of discussing the question before you have come to the conclusion which you have come to?—If the meeting was held in London, before the corporation met, they would have no such opportunity; but as town clerk of Manchester I would not be here to give evidence if there was a scintilla of doubt upon my mind as to the fact that the evidence which I am giving is in accordance with the views of the corporation.

1961. Are the meetings ever held without the corporations being consulted as to the business which is going to be brought before them?—The corporations are never consulted, because the executive in London must agree by communication with the honorary secretaries of the association as to the time at which a meeting is to be called, and as to the subjects to be put upon the paper for discussion; and any corporation can ask for any subject to be discussed that they think fit.

1962. Is it a rule for corporations to have matters brought before them which are likely to be discussed at these meetings of the association of corporations?—Very often.

1963. I have known a good deal of corporations, but I never heard of a case of the kind. You say that there are certain number of representatives; will you pardon my asking you again what the number is?—Twenty-one, I think; I am speaking now of the committee of management.

1964. Will you be kind enough to tell the Committee who the persons are who compose that committee of management; how many mayors and how many town clerks?—I really cannot tell; sometimes it is the mayor, sometimes it is an alderman with the town clerk; they vote at every meeting. Although some people have thought it desirable, it is impossible to fix the individuals who should represent the corporation, and

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and it is left to the corporations to make their own arrangements.

1965. Is it not a fact that these meetings are seldom attended by the mayors or aldermen?—No; they are very often attended by the mayors; there were several mayors present on Tuesday.

1966. How many mayors were present then?—I really cannot tell you; the mayor of Salford was there, and there was an alderman from Liverpool; I really do not know the others; there was an alderman from Nottingham.

1967. Was Nottingham present in the person of the town clerk or of the mayor?—The chairman of the finance committee, I believe it was, and the town clerk.

1968. How many people were at the meeting when the resolution was passed on Tuesday?—I think there were ten corporations represented, and I think there were about 17 or 18 persons present. In some cases there was only the town clerk present, in others the mayor and town clerk, and in others an alderman and the town clerk.

1969. Can you tell me the proportion of town clerks to other representatives?—I cannot.

1970. It is rather an important feature, because the question is one which affects, to a great extent, the work of the town clerk?—I do not think it affects the work of the town clerk in the least.

1971. You do not think that an extension of the hours would entail more work upon him?—Not more work. It would entail, not upon the town clerk, but upon someone the necessity of being on the spot a few hours later in the evening, but there is no additional work upon the town clerk. I think the town clerk would never be influenced in any opinion that he would give upon the subject by anything of the kind.

1972. You do not think it would increase his anxiety at all?—Not a bit of it.

1973. That, he would have no fear of any disturbance arising from any prolongation of the hours?—That is quite another thing. It would increase the mayor's anxiety, and, to a certain extent, might increase that of the town clerk, who is the mayor's adviser. It would increase the trouble of the mayor, and the trouble of the police, but not of the town clerk as town clerk.

1974. I think you said that you had practically managed the elections for many years in Manchester?—I did say so.

1975. Then supposing that the mayors of other boroughs, in proportion to their ability and opportunity, exercised the same power and influence, is it not likely that if there was any fear of disturbance it would increase their anxiety?—When I said that I managed the elections I did not mean to say that I was responsible for keeping the peace.

1976. But still if order is not kept, there is more difficulty in getting to a satisfactory conclusion, is there not?—Not so far as the town clerk is concerned, because he has to deal with the result, and not with what is going on during the whole of the day.

1977. You said that you spoke not only for yourself and for Manchester, but you spoke as representing the Corporation of Manchester, but you have merely formed your conclusions from conversations which you have had from time to time?—Yes.

Mr. Barran—continued.

1978. Have you ever heard any opinion expressed as to the cause of only two-thirds of the electors recording their votes at a general election?—No; I have heard opinions expressed, rather of surprise than otherwise, at the number polled out of our constituency, particularly upon the last occasion; but I never heard it suggested that it was from any difficulty in voting that the absentees were absent.

1979. At the school board election there were only 27,000 polled out of 66,000, I believe?—Yes.

1980. You say you believe that was from want of interest; was there not a good deal of religious feeling at the last school board election?—No, very little; it was very quiet.

1981. You say that in Manchester there would be little or no difficulty in men recording their votes in consequence of their working away from their homes?—I do not believe that there is any difficulty.

1982. Is there much building going on in Manchester?—A great deal in some parts, but more in the outskirts.

1983. Can you tell the Committee what the width and length of Manchester is?—I cannot.

1984. Is it a widely scattered place?—It is rather confined than otherwise.

1985. Therefore there would not be the same difficulty in Manchester that there is in some boroughs?—No, certainly not. I fancy that Leeds is probably one of the largest boroughs existing; I think it is four or five times as large in size as Manchester.

1986. You said that there would be considerable difficulty in carrying on the polling in the dark, did you not?—I am sure there would.

1987. But you know that at the municipal elections, which take place in November, they have to light the gas?—It is quite possible.

1988. You say that it would involve considerable expense to fix up the gas in the different polling booths; I suppose you are aware that at the present time the duplex lamp is a very popular lamp, and could be fixed at very little expense?—I do not know.

1989. Are you aware that oil is used now very much for lighting?—No doubt it is used; but it would be a great expense to buy 200 or 300 lamps; and I should say that there would be a very great chance of a lamp being upset.

1990. Supposing that a lamp was put eight feet up, would there be any difficulty?—That would increase the cost; I do not mean to say that it would be impossible to light the polling places, but I do say that it would be very expensive, and with all the expense it would not do away with the objections to having the voting carried on after dark.

1991. Did you say that candidates have been asked whether they wished to have the hours of polling extended?—No, I have not said so; I have never communicated with any candidate.

1992. That was your own statement, I think?—I have made a mistake if I said so; I said those who conduct the elections for the candidates.

1993. You said the candidates, I think?—Then I made a mistake, because I have never communicated with a candidate that I know of upon the subject.

Mr. Tennant.

1994. Do you think that there would be any practical

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practical difficulty in giving a voter in a borough, as he has now in a county, the opportunity of recording his vote at some other polling place than at the polling place where he resides?—Yes, I think that it would be almost impossible, because you must have in the hands of the presiding officers at all these booths a correct record of those entitled to vote at each particular place. It would be impossible to have an official list of the places at which possibly the workpeople might prefer voting, because that would be constantly changing.

1995. But I am supposing that the place at which a voter is to record his vote, must be of course a matter of record beforehand, as it is now in a county; he must, of course, when he is put on the register in each year, state if he wishes to change his polling place; do you think there would be any practical difficulty in an arrangement of that kind?—I do not think there would be any insuperable difficulty in an arrangement of that kind.

1996. It would get over the difficulty of his place of work being very far from his place of residence, would it not?—It would; it would simply be putting him down to vote at the place which he himself selected.

Mr. Burt.

1997. You are of opinion that so far as Manchester is concerned, all the voters on the register can record their votes in the present hours if they care about it?—I think so.

1998. It has been stated in evidence before this Committee, that with reference to many other towns the men engaged in the building trades, for example, live at such a considerable distance from the polling places that they cannot possibly record their votes in the present hours; you do not think that that applies at all to Manchester?—No, I do not. I believe that even when they are engaged in building they could have the facility of voting afforded to them if they wished.

1999. You spoke, when enumerating the evils and difficulties arising from the extension of the hours of polling, about the increased expense of getting clerks, and so on; and you expressed an opinion that it would be impossible to get them at such a paltry amount as three guineas a day; I do not know whether we may infer that you consider three guineas a day a very paltry sum generally to be paid?—I do, for the gentlemen whom we usually try to get to act as presiding officers. We used to get them for two guineas, but I do not think that the amount induces parties to attend. It is not a question of amount; whatever the amount was it would not do away with the difficulties which I see in asking gentlemen to sit from eight o'clock in the morning until eight o'clock in the evening. I think it is an unreasonable time. In the arrangements for the school board elections there is a discretion giving to the returning officer to prescribe the hours and to alter the hours between one hour and another, morning and afternoon, not making the poll extend over more than eight hours. We made an application to know whether there was any desire to have the hours altered, and the intimation given by all parties to the mayor was, that they were desirous of having the hours maintained which had been previously adopted.

2000. You stated, I think, that the clerks were 0.109.

Mr. Burt—continued.

about half their time completely disengaged, that they have nothing to do but to twirl their thumbs?—That is the fact; I know that from my own experience. I go into the booths from time to time during the day, and I find them empty, and I find the presiding officers *ennuyé* to a large extent, and only too thankful to get their cigars.

2001. Can you give us any evidence as to how they are engaged at the dinner hour, whether at that particular time they are very busy?—There is often, in fact, generally an influx of voters during the dinner hour.

2002. And you think that the whole of the men who are anxious to record their votes can record them in the dinner hour?—There is a breakfast hour and a dinner hour during the day. My opinion is, that it is not at all necessary that the vote should be recorded during a particular hour. I am satisfied that where a voter finds it necessary he would obtain the consent that would be necessary for the half hour's absence to enable him to vote.

2003. I should not be disposed to throw any doubt upon the willingness of employers to accord privileges of that kind; but, is it not a matter of fact, that in many cases they could not, however disposed they might be to do so, accord a privilege of that kind without inconveniencing the whole of the other men engaged; one man's employment depending so much upon another's that it is not simply a question of an individual leaving his employment, but it might involve the stoppage of the whole concern?—It is quite possible that there might be occasional difficulties of that kind.

2004. Would it be fair to ask an employer to do it in a case of that kind?—I do not see any great hardship in asking him to do it.

2005. I think you gave the opinion that the lengthening of the hours would tend very much to increase the disturbance and drunkenness which prevail in connection with elections?—Yes, I believe that most decidedly. If they had two or three hours having nothing in the world to do but just to loaf about the polling booths, you might be quite sure that there would be a good deal of that time occupied in drinking.

2006. I entirely agree with you, that it is for those who want the change to make out a case for it; but if the hours were extended to eight o'clock, and it were known that the poll could not be declared on that day, is it not probable that people would disperse and go to their homes?—No, not at all; it is not waiting for the poll that I should expect the crowd to assemble; it would be watching the voters going into the booth, and chaffing them right and left as they went, because the crowd had got nothing else to do. It would be an amusement for them to assemble around the polling booth, and in a densely populated district a crowd would be got up with the greatest possible facility. Such people as I am supposing would be induced to come together about the booths, would not care much about the election.

2007. I understood you to qualify your opinion by stating that it was not so much the voters and those interested in the election, as what we may call the idle population who would assemble in crowds?—Yes, exactly.

2008. Would not that part of the population in a big town be quite as likely to crowd around the booths at mid-day or any other hour, as at night?

Sir J. Heron.

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Sir J. Heron.

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Mr. Burt—continued.

night?—No, because they are most of them at work of some kind, and the hours of labour would have ceased, and from six o'clock to eight say, those people would have nothing in the world to do but to come and amuse themselves whenever there was a little excitement in connection with an election.

2009. Then I understand you to be of opinion that it is the working people who are following a daily occupation who form the rowdy element in the town?—Some of them would be. I do not mean to use the term offensively towards the working people at all. It is quite natural that if they are idle, and there is an election going on, they will be crowding about that place; and it is quite natural that if they are there, they will amuse themselves by chaffing the people going in the booth, and drinking for their own gratification.

Mr. Cotes.

2010. You said that you spoke with the authority of the town council; has this matter been discussed by the town council at their meetings?—No; the resolution of the sub-committee will be before the meeting to-day of the general purposes committee, which is practically the whole corporation, because it happens that there has not been time for anything else; but it has been before them before.

2011. The honourable Member for Leeds asked you if you saw any objection to a voter choosing his own polling station; I presume that that he would have to appear before the revising barrister for that purpose?—That would not be necessary, because if the law were altered to that extent, of course the overseer would enter him as a voter in the particular district which he selected, and then he would go in the list in the regular way; it would only be in a case that had not been attended to that he would have to go before the revising barrister.

2012. But the election might happen 14 or 15 months after he had made his choice?—Yes, but then he would be only in the same position as if he had been entered for his house. No doubt he might change his place of occupation every week.

2013. If he voted further from his residence would there not be an increased chance of personation?—Of course there would be that possible difficulty.

Mr. Halsey.

2014. I think you said once or twice that 12 hours from eight to eight would be too long to keep the clerks employed?—Yes, or the presiding officers.

2015. Those duties which they have to perform require very great care and constant attention; they are not duties which a man can slur over; in each individual case he must see, for instance, that the voting paper is properly marked, as we have heard lately elsewhere?—Yes.

2016. For that his attention must be kept constantly on the stretch?—Of course it must whilst he is occupied.

2017. And therefore you think that 12 hours is a longer time than nine men out of ten could keep their attention properly fixed?—I believe so, decidedly, and I believe that our people would refuse to do it.

2018. Even if they did attempt to undertake

Mr. Halsey—continued.

it they would naturally expect more pay than they get now?—I think so.

2019. They would have their work increased by one-third in point of time, and therefore, naturally, they would expect, I suppose, a corresponding increase in their pay?—It is quite natural that they should; I do not believe they would object to it half so much if they were employed, but they would object to be compelled to remain there and have nothing to do.

2020. On the other hand, I suppose that it would add very much to the expense and would be very inconvenient and difficult to have a shift?—Very difficult. If it were universally adopted it would double the expense, and I think you would have to have a relay.

2021. It stands to reason, of course, that that would double the expense, and might be conducive to great inconvenience?—Yes, and in Manchester it will be seen at once what the expense will be when we have 110 presiding officers besides the clerks; and it might also be said that it would increase the cost to the candidates also.

2022. Because, in addition to the official expenses, the candidates have to keep their own personation agents, and people of that sort in the booths to watch the whole time?—Of course they have.

2023. And the same remarks as to long hours would, of course, equally apply to the officials?—They would.

Mr. W. E. Forster.

2024. You are aware that an Act has been passed, resulting from the recommendation of the Committee for extending the hours of polling in London?—I am.

2025. Have you had any communication at all with the returning officers of the different boroughs of London as to how they get over these difficulties?—London generally has special and peculiar legislation, and I thought that we should wait probably, and see how it worked in London before any change would be suggested elsewhere.

2026. Do you think that as regards the increase of cost and of time, during which the deputy returning officers and other officials would be employed, there is anything in the circumstances of Manchester different from those of a large borough like Marylebone?—I do not think there is. In fact, so far as I know, it was the suggestion of the metropolitan boroughs that induced the three guineas to be put into the Act as the charge, rather than the amount for which we had been able to get our people previously, viz., two guineas.

2027. You would not for a moment suppose, I imagine, that a Manchester clerk would acknowledge that he was less able to work for 12 hours consecutively than a London clerk?—I do not mean to say that it is a physical impossibility at all.

2028. I rather understood you to say that you thought it was almost too much to put upon the men?—I was speaking not so much of the clerks as of the presiding officers. The clerks are glad to work even longer hours for comparatively moderate pay.

2029. Is there anything in the position of those gentlemen who assist the returning officer in Manchester to put them in a different position to what they are in London?—I do not know that there is.

2030. If

*Mr. W. E. Forster—continued.*

2030. If they get over these difficulties in London, I suppose you would think that you might get over them in Manchester?—It is quite possible; but those are minor objections to the change in my mind.

2031. With regard to any grievance that exists in Manchester, we see the fact that the proportion of votes polled in Manchester is considerably less, even with an excited election, than it is in many boroughs?—I am not aware of that.

2032. For instance, at the last election, when Mr. Jacob Bright and Mr. Powell were the candidates, there was a good deal of political excitement, was there not?—No doubt; but I say that I am not aware of what the proportion is in other boroughs.

2033. I think I may almost take as a fact that comparing Manchester with a comparatively small borough like my own borough, the borough of Bradford, the proportion of votes polled in Manchester is nothing like what it is in the borough of Bradford?—I am not aware.

2034. There are a good many mills still in Manchester, are there not?—They are diminishing constantly, but there are some still.

2035. Is it the custom for the mill hands to have a half-holiday on the day of the election?—No, I do not think it is, as a general custom; I have heard that in many places there is pretty nearly a holiday when there is a general election, but I do not think it is in Manchester.

2036. That brings up the reason why I asked the question. It was stated when advocating this change in London, that one chief ground for it was that, owing to the enormous size of London, employers were not so acted upon by public opinion as to induce them to stop their mills, or other places of work, in the afternoon, as they would be in comparatively small places, such, for instance, as my own borough, Bradford, where it is very much the habit; do not you think that, considering the size of Manchester, that the same feeling may rather operate there?—I do not, because Manchester is not large, for the population of Manchester is very small; the limits of Manchester are, I think you will find, in proportion, very much smaller than those of a great many other boroughs.

2037. Can you give us the distance?—I cannot.

*Chairman.*

2038. Do you know the acreage?—No, I do not.

*Mr. W. E. Forster.*

2039. Nobody knows Manchester better than you do; you can surely give us the distance within half-a-mile from one side of Manchester to the other?—I daresay I can; I am speaking very doubtfully, because there are so many points to be considered; for instance, where I live is not in the borough of Manchester, and taking the boundary of the borough on the side I live, and going to almost any of the other boundaries, either at Chorlton-upon-Medlock, Ardwick or Hulme, I should not think it is more than three miles; but I really am speaking somewhat doubtfully.

2040. You have a great many masons who are voters in Manchester, I suppose?—Of course there are; we have builders in Manchester, and we must have masons.

2041. What are the hours at which the masons  
0.109.

*Mr. W. E. Forster—continued.*

go to work, and come away from it?—I really do not know at what time they go to work; I think the hours vary.

2042. Do you not think that they go before eight o'clock?—Very likely they do; but in that case they have their breakfast hour.

2043. They go to work before eight o'clock, and they come away after four o'clock in the summer, do they not?—Yes, certainly.

2044. Supposing that their place of employment is some distance from their homes, what do they do with regard to their meals?—I really do not know.

2045. That is just the point upon which we are told, judging from other towns, that there is a grievance, that in a large town those sort of men live some way off from their work, and either cannot get away to vote, or are obliged to cut so much off their meal hours, that it is a sacrifice that many of them will not make; do you know whether that is the case in Manchester or not?—All I can say is, as I have already stated, that I have not heard complaints made; I do not mean to say that it is not possible that there are individual cases where a man has very great difficulty in voting.

2046. Is there a very much larger number voting in the dinner hour than at any other hour?—There is always an increase in the number of voters at that time.

2047. How is it during the last half-hour generally at Manchester?—Very often there is no voting at all, but if there is any pressure it is exceptional. It has generally been worked out long before four o'clock.

2048. So far as you can see, the constituency is polled out by what time; by three o'clock?—It varies very much. Sometimes from two o'clock to four there is scarcely any polling comparatively; but it varies, of course, in different districts.

2049. I suppose you would see that the multiplication of polling places, or polling stations, unless it met the difficulty of the distance of the place of polling from the place of work, would not meet this evil that I am mentioning whatever it might be?—Certainly not; it would necessarily more or less meet the difficulty, but not entirely.

2050. It would not in the slightest degree affect the question of the distance of a voter's place of work from his house?—Certainly not; a mason might be working miles away from his residence, of course.

2051. What are the hours of polling at school board elections in Manchester?—I believe they are the same as at the Parliamentary elections.

2052. Had you anything to do with fixing them?—Yes, the mayor consulted the parties who were interested in the election as to the desirability of any change being made, and they expressed a desire to have no change.

2053. Have you the same hours as you had at the beginning?—Certainly.

2054. You had the option of having them later, and you determined not to use it?—Yes, I believe that is the law now.

2055. And nobody of any importance has applied to you to make any change in that matter?—No, they expressly said that they did not desire the change.

2056. If the same option were given to Manchester  
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Mr. W. E. Forster—continued.

chester with regard to extending the hours of polling at Parliamentary elections as has been given to you with regard to school board elections, supposing that it was given for instance to the town council, how do you think it would be used?—They would determine, in my opinion, to have the hours as they exist.

2056\*. Assuming that there are large towns in which there is at any rate supposed to be a grievance, and that in order to meet that grievance where it exists, and in order at the same time not to make a change which would not be generally wished for in other places, that power was given for the change to be made by the action of the town council, what would be your opinion of such a suggestion as that?—I should certainly much prefer that to having the alteration of the hours fixed by Act of Parliament.

2057. It was once proposed that the returning officer for the time being should have the power of fixing the hours; do you see any objection to that?—I do not see any objection to that; but in my opinion it would be preferable to have it determined by the town council, so as to relieve the returning officer from a responsibility which might possibly be found unpleasant.

2058. The objection that was made by giving the power to the returning officer for each special election at the time was that it might be possible that one party or the other might think that the extension might be useful or harmful?—I was going to venture to say that I think it would be an undesirable responsibility to put upon the returning officer, because he might find it rather difficult in some cases to decide. In Manchester we had no difficulty, because there was no other course suggested.

2059. On the other hand, supposing that such a matter were brought before the town council some time before the election, and were understood not to concern one special election, but to concern the course which they generally took, you would not see much objection to that proposal?—I should see far less objection to it than absolutely altering the hours.

2060. You feel clear that there would be almost one opinion about it in Manchester?—I think so, and I think it would be far better that if there was such a discretion it should be vested in the town council. Of course it is desirable that the alteration should be made without reference to any special election.

2061. I suppose I may take it for granted that everybody wishes to get the thing over as quickly as possible?—Most assuredly.

2062. And especially those who take a deep interest in politics, and who want to know what is the result?—No doubt. They say that an extension of the hours of polling will increase their expense and trouble. I should be very sorry if we were not in a position to declare the result of the poll practically the same evening. We have always done so without any difficulty, and it is a great satisfaction to the parties interested.

Mr. Isaac.

2063. The right honourable gentleman asked you a question with reference to the Act passed this Session extending the hours of polling in London; I suppose you are aware that no election has taken place since that Act passed?—I imagine not. I am not aware of the fact. It extends,

Mr. Isaac—continued.

I suppose, to all elections, whether Parliamentary or school board.

2064. Your reply to the right honourable gentleman was given with a knowledge that no election had taken place since the Act passed, and that therefore the returning officers in these large metropolitan boroughs could not have had any experience as to how it would work?—It is my impression that there has been no election since the Act was passed.

2065. You spoke of the meeting on Tuesday last, with reference to these corporate bodies who were represented there; you do not mean to convey to the Committee that you are representing the whole of the 140 corporations who are members of your body?—Certainly not.

2066. But simply those who attended on Tuesday when the resolution was passed?—That was why I gave the names. The Chairman of the Finance Committee and the town clerk of Nottingham were present.

2067. With reference to the last question which you answered as to giving power either to the returning officer or to the corporation to vary the hours of polling, would you prefer that power to be given to them to having it fixed by Act of Parliament?—I would certainly prefer the power being given to them to having it fixed by Act of Parliament that the polling should last for 12 hours, but I hope that if the discretion was given there would be also a limitation to the hours as there is in the case of school board elections. There the hours of polling are limited to eight hours; a discretion being given to fix the time during which the polling shall take place between a certain hour in the morning and a certain hour in the evening.

2068. So that even under those circumstances you would not give anybody the power of increasing the number of hours during which the poll should be open?—No.

2069. If there had been a disposition on the part of a larger number of electors in Manchester to vote either in 1874 or 1876, are you of opinion that there was ample time for them to record their votes?—I have already said that that is decidedly my opinion.

2070. Assuming that in Manchester the hours were extended, you are of opinion that a larger number of votes would not be recorded, although the time would be extended?—I have very great doubts about it.

Sir William Cunningham.

2071. You have said in answer to the honourable Member who has just examined you, that you only considered yourself justified in expressing the opinions of the boroughs who were represented at the last meeting of this municipal association with regard to this question?—I stated distinctly that I do represent, and with their full sanction, the boroughs represented at the meeting on Tuesday; but I do not go beyond that. I do not profess to give the opinions of any corporation whose representatives were present on that occasion.

2072. But, I understood you also to say that there had been a previous meeting of the same body at which the subject had been discussed, and a resolution arrived at?—Certainly, when there was a much larger number of representatives of corporations present. The exact number I cannot say, but I believe there were 25 or 30, if

*Sir William Cunninghame*—continued.

if not more. It was the general meeting of the association, and with the exception of the representatives of one borough, they were all of one mind.

*Mr. W. E. Forster.*

2073. What was that borough?—Birmingham.

*Sir William Cunninghame.*

2074. Do you not consider yourself justified then, in saying that the association were unanimous upon the point?—I should not like to say so, because I cannot go beyond my own knowledge, and it is quite possible that out of 140 corporations (and certainly there were two-thirds or more whose representatives were not present) all might not agree in the opinion given by those present. At the same time, if silence gave consent, they might be said to be agreeing, because it was one of the subjects named for discussion, and they did not think fit to attend.

2075. The municipalities had notice of the question; that was to come up before this meeting?—Yes.

*Mr. W. E. Forster.*

2076. The first meeting?—Yes, I believe the first meeting as well as the last.

*Sir William Cunninghame.*

2077. Do you think that on this question the municipal councils reflect public opinion in their boroughs?—I think so, because there is always some one in a corporation to represent any popular opinion that there may be outside, if it is in opposition to any course which the corporation propose to take.

2078. Could you give us, or obtain for us, a list of the municipalities that belong to this association which you speak of?—I could send you the list without any difficulty. I may say that there is not a corporation of any importance in England which does not belong to the association; it includes all the large corporations. But I should be sorry, appearing here, although I happen to be connected with the association, to say anything beyond what I am fully justified in saying, and I should not like to commit any absent corporation to my opinion.

*Mr. Barran.*

2079. I understand you to say that the matter came before a sub-committee of your corporation?—There is a Parliamentary sub-committee of the corporation which is a numerous committee, and the proceedings of the committee are recorded and submitted to the corporation at the next meeting of the corporation. The meeting of last Tuesday was a meeting of the executive of the association, and not of the association itself.

*Mr. Henry Samuelson.*

2080. Upon the question of the returning officer having discretion, do you not think it important that returning officers, and those who are responsible for the conduct of the election, should be absolutely free from suspicion of partiality or unfairness?—There can be no doubt of that; there ought.

2081. Do you not think that, if a discretion were given as to the hours of polling to the town

*Mr. Henry Samuelson*—continued.

council or to the returning officer, it might be unwelcome to them as tending to expose them to accusations of unfairness and partiality?—As I have already stated, I should be sorry to see it given to the returning officer in whom it is now vested as regards school board elections, because if there was a strong difference of opinion the returning officer would be in a difficulty to know what he should decide. If the discretion were given to the council, and were exercised not with reference to any particular election, but generally, I do not see that there would be much danger of political feeling interfering with the decision.

2082. With regard to your answer to the honourable Member for Shrewsbury as to the possibility of a man selecting a voting place for which he would be placed upon the register, you said, I believe, that there would be no difficulty in his doing so, that the overseer would put him on?—I did not say that there would be no difficulty. At first I thought it was impracticable, but afterwards I said that I did not see any insuperable difficulty in doing it, because if it was the law that the overseer should put a man upon the list, it might be the most convenient to him, because they could put him on for his place of work just as easily as they put him on for his house.

2083. How would they know at what place he wished to vote or where he worked?—He would be required to give a notice in writing, of course.

2084. Then if he did not tell them he might not be put upon the list at all?—Certainly; he would go upon the list if he was entitled for his house.

2085. Then there would be some danger that he might be put on both for his place of residence and for his place of work?—I think not, because the overseer would only put him on the list which he selected; there would be a little danger and a little difficulty, but it would not be an impossibility.

2086. As it is, men do very often appear on the register for two qualifications, do they not?—No doubt; although the law is that a man should select and only be left on the register for one qualification; but it is a very difficult law to carry out, and there is no doubt that many voters in a place like Manchester, for instance, are on the list for their house, and also for their warehouse.

2087. If this additional way of being registered were introduced, there would be additional confusion, would there not?—There would be a little additional difficulty; I do not think there would be much confusion.

*Chairman.*

2088. The information which we should be glad to have from you, if you can supply it to us, is a list of the number and names of the corporations which form your association, a copy of the notice convening the first meeting, a statement of the officials to whom the notice was sent, whether to the mayor or to the town clerk, the number of corporations represented, together with the date both of the notice and of the meeting?—I think I could get that information without any difficulty.

*Sir J. Heron.*

27 June  
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Mr. EDWARD BAGNALL POTTS, called in; and Examined.

Mr. Potts.

27 June  
1878.

Chairman.

2089. You are a Solicitor, I believe, at Broseley, in the borough of Wenlock?—I am.

2090. Have you acted as an election agent in the borough of Wenlock?—Yes, I have upon two occasions at two contested elections; one was the general election of 1874, and the other was a bye election in the autumn of 1874, rendered necessary on account of the elevation of a Member to the House of Lords.

2091. You are aware of the subject which this Committee is considering; have you any opinion to express to the Committee as to the necessity for any change in the hours of polling, or is there any grievance felt at Wenlock on the subject?—I have not the slightest knowledge of any grievance; it strikes me that what we have is quite sufficient; at the last election, I do not say the whole of the voters polled, but those who polled were polled in plenty of time, and at most of the polling districts the afternoon was a very quiet time, and very few voters were brought up to the poll.

2092. Can you give us the number polled out of your constituency at the last election?—Three thousand one hundred and twenty-one, the number on the register being 3,492.

2093. That, therefore, is a very large proportion of voters?—It is a very large proportion, and in that 3,492 there are a certain number of duplicates; in fact, there is a freeman's list there, and I daresay a little less than one-half of those on the freeman's list are already on the occupier's list.

2094. Is it the custom to make a general holiday in the borough on the occasion of a Parliamentary election?—No, there is no necessity at all for it.

2095. What is the nature of the borough of Wenlock; is it composed of two or three outlying districts?—It is the largest borough in extent, I believe, in England; I am not prepared to give you the mileage of it, because I have not had sufficient time to get up the details; but the borough comprises 18 parishes, and it lies all over the county of Salop; in fact, it is one of the boroughs in which we are allowed by the Reform Bill, to bring our voters to the poll in conveyances.

2096. Is a great deal of such conveyance necessary?—Yes; especially in the out-lying districts. Almost every polling district has an outlying parish or two attached to it, and the voters must be brought in, because the attached parishes may be five or six miles away.

2097. Generally speaking, do voters in the Parliamentary borough of Much Wenlock, reside at a considerable distance from their work?—As a rule, I should think, they live very near their work.

2098. If conveyances were made illegal, would there be any difficulty in your opinion?—There would be difficulty in this way; because we have so many parishes lying so far distant from the polling stations, that we could not get the men to vote.

2099. You think that a mere multiplication of polling places would not be sufficient?—No. There is one little parish, for instance, which lies eight miles from the polling district; that is a little parish below Bridgnorth. There are two

Chairman—continued.

parishes, Beckbury and Badger, which lie, I should think, between three-and-a-half and four miles from the district; and in every district there are one or two of these little outlying parishes some miles away.

2100. Is it mostly an agricultural district?—The bulk of the acreage is agricultural, no doubt; but there are some towns with large manufacturing populations.

2101. It has been suggested to us, that such an extension of facilities for voting, as has been recommended, might possibly do away with a good deal of the necessity of conveyance, even in places where it is legal; what do you say as to that being the case in Wenlock?—I do not see what good any alteration can be in Wenlock, because we must have conveyances to bring voters to the poll, owing to the long way that they live from their respective polling districts. In the towns it is not actually necessary to bring the voters to the poll, although it is done. In the breakfast hour or the dinner hour, both parties, I believe, have conveyances to bring the men up to poll, so as to let them go back to their work; in fact, I think if there was an extension of the hours, it would do a great deal of harm in each of the polling districts. There are one or two that I do not know quite so well as I do others; but from my experience of them, the officers in the polling booths have virtually nothing to do in the afternoon part. My experience of elections is, that three-fourths, or almost four-fifths, of the voters polled before half past two or three o'clock.

2102. Within your knowledge at all events, there has been no complaint, and you are not aware of any grievance existing?—I never heard a single complaint. On the contrary, I have heard from the presiding officers, and the personation agents in the polling-booths that they have had nothing to do in the afternoon; it has been a most slow process sitting there, for perhaps half an hour, without a voter being brought in, and those voters being exceptional ones, such as a burner from a brickwork, or a tessellated tile company who could not be released owing to his avocation.

2103. Supposing that the hours were extended, I understand you to say that it would not get over the necessity for conveying voters which now exists in your borough?—Certainly not.

Mr. W. E. Forster.

2104. You are quite a small county, are you not?—We are a small county.

2105. And several agricultural labourers are voters?—Yes, a great number.

2106. I never was in your borough, and therefore I do not know the circumstances; but you know that in some counties there are what are called close and open parishes; that is to say, there are parishes in which people live who work in other parishes; will that apply to any part of your district, that the labourers will live in one parish, and their work will be in another?—I know of one parish which meets your case, where some voters live in a parish in the borough of Wenlock, who work in a parish out of the borough of Wenlock.

2107. Is

*Mr. W. E. Forster*—continued.

2107. Is there no difficulty in those men getting to vote?—We never experience the slightest difficulty.

2108. You think that they do vote?—I am certain of it.

2109. I observe that at your last election a very considerable proportion of the registered electors voted?—It was very close. I think that every man was polled that could be polled.

*Mr. Halsey.*

2110. Your voters are mostly agricultural, are they not?—I do not think they are mostly agricultural, because we have a very large parish, Madeley, with more than 10,000 inhabitants, and we have Broseley, which is partly manufacturing, with 5,000 inhabitants.

2111. What are the principal manufactures of the borough?—The largest manufactures are the Colebrook Dale Company's Iron Works, the

*Mr. Halsey*—continued.

Madeley Wood Company's Iron Works, and Maw's Encaustic Tile Manufactory.

2112. In fact, there is a mixture of manufacturing and agricultural population?—Yes; in the two parishes that I have mentioned there are a great number of manufactories.

2113. You find no difficulty in polling the constituency practically out?—No.

2114. So that whatever may be the case in regard to some of the larger boroughs, as far as a borough of your description is concerned, there is no necessity, in your judgment, for any extension?—No, not the slightest; I think that it would be very objectionable to make any alteration.

*Mr. Henry Samuelson.*

2115. Whose agent were you at the last election?—Mr. Forester's, and at the election before, his uncle's, the present Lord Forester.

*Mr. JOHN HUGHES*, called in; and Examined.

*Chairman.*

2116. Do you live in the Parliamentary borough of Wenlock?—Yes, at Colebrook Dale.

2117. May I ask what is your occupation?—I am a moulder.

2118. Have you taken an active part in the various Parliamentary elections?—In the last two or three.

2119. That is to say, in the general election of 1874, and in the bye-election which ensued upon Lord Forester's going to the Upper House?—Yes.

2120. Can you give us not only your own opinion, but the opinion of any association, or any considerable number of persons in Wenlock, and if so, what opinion, with regard to the hours of polling?—Speaking for Colebrook Dale, I think it would be wise if the hours of polling were extended to eight o'clock, and a good many working men are of the same opinion.

2121. Taking your own circumstances, have you yourself personally found any difficulty in recording your vote at a Parliamentary election?—I have had to lose my time; we all have to lose our time.

2122. How far is your polling station, where you have to record your votes, from your place of work?—It is close by where I work where we poll. It is not much inconvenience to me, but there are a good many men that work at Colebrook Dale, who live at Madeley, and some at Broseley, and if they are to record their votes they must lose time to do it.

2123. When you say "lose time," do I understand you to mean that they cannot succeed in recording their votes by abandoning a short time at the dinner-hour, or do you mean that they have to give up certain hours of work during the day, and therefore lose time and money also?—That is my meaning. There is not sufficient time in the dinner-hour, because more than three-fourths of the voters are working men. I may as well say that the Colebrook Dale Company never interfere, and that they do not prevent the men from voting, but they must vote in their own time.

0.109.

*Chairman*—continued.

2124. We have had it put before us that a very large proportion of the registered electors of Much Wenlock did vote upon the last occasion. I suppose you would hardly say that any more could have been got to the poll?—Most of the men polled in the Colebrook Dale district, I know, but they did not all poll in the Iron Bridge district owing to the fact of the men not being able to go without losing time, and they did not like to sacrifice the money.

2125. Do you mean to tell the Committee that there was any considerable number of voters who did not vote at the last election on account of the hours?—Not a great many, I know, but some of those that did vote, had to lose their time, which to them is money, and that is the hardship which they complain of.

*Mr. Henry Samuelson.*

2126. Do you know what Mr. Forster's majority was at the last election?—Three hundred and nineteen.

*Mr. Cotes.*

2127. There are extensive collieries in Madeley, are there not, which is part of the borough?—Yes.

2128. Was there much work going on in those collieries on either of the days of election, in 1874?—Very little work; if they had not played, they would not have been able to have recorded their votes.

*Mr. Barran.*

2129. At the last election did a great many of the electors cease from working in order that they might enjoy the privilege of voting?—Yes.

2130. Some of them stayed away the whole day, instead of going to their work?—Yes, and consequently lost their day's wages.

2131. Supposing that the hours of polling were extended to eight o'clock, would that happen?—Then, I do not believe that any man would have occasion to lose a day's wages.

2132. Do you think that they would then willingly

*Mr. Potts.*

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Mr. Barran—continued.

ingly sacrifice their day?—No; I think that they would go to their work, and vote afterwards.

Mr. Alfred Gathorne Hardy.

2133. You say that some of them sacrificed their whole day to vote; do you mean to say that there are many of them so far from their work that it would have been impossible for them to have voted by the sacrifice, say of an hour or two hours?—Yes; some that lived in Madeley, and worked in Colebrook Dale, a distance of three miles.

2134. Put it at three miles, but that I suppose is the longest distance from the polling place?—Yes.

2135. I understand that there is conveyance of voters to the poll allowed in your borough; do you mean to say that it was necessary for a man to give up the whole day in order to be conveyed three miles for the purpose of voting?—Well, he might have given up half a day.

2136. If you had a conveyance for the purpose of taking him to the poll, a man could go three miles and back in an hour, could he not?—No doubt.

Mr. Halsey.

2137. Do any of the manufacturers usually allow time, when there is an election, for the men to vote?—Not that I am aware of.

2138. You have not heard that any manufacturers allow their men half an hour extra without losing time?—Not to my knowledge.

Mr. W. E. Forster.

2139. What manufacturing work is there in Wenlock?—There are the Colebrook Dale Company's Works in Colebrook Dale, and there are the Madeley Wood Company's Iron Works and Collieries, and others.

2140. Taking the Colebrook Dale Company's Works, had they a half holiday during the election?—Partially; some stay away from work altogether on that day.

2141. Would the principal number of voters that work in Colebrook Dale be paid by the piece or by the day?—It is divided; some work piece work, and some work day work.

2142. Those who work day work, I suppose,

Mr. W. E. Forster—continued.

would not have had their wages docked?—Yes, they would.

2143. Do you think that if a man had gone off for half a day to exercise his right to vote he would have had only half a day's wage?—I am sure of that.

2144. You know that from your personal knowledge?—Yes.

2145. Therefore you think that a great many of those who voted lost half a day's wage?—Yes.

2146. There are some collieries there, are there not?—Yes, in the Madeley and Madeley Wood district, and in the Iron Bridge district there are many collieries.

2147. The men in the collieries work by shift, do they not?—Yes.

2148. And the shift is not according to the day time exactly?—Yes, it is.

2149. What time do the shifts begin?—I think that they go to work at six o'clock in the morning, and leave off at four o'clock.

2150. Then what is the next shift?—They only take one shift except on special occasions.

2151. They do not go on during part of the day, and then have another shift which goes on later in the evening?—No, except on special occasions. Latterly trade has been very bad, and they have been playing a good deal of their time.

2152. You have heard a good deal of complaint of this matter in your borough, have you?—Amongst working men I have heard a good deal of complaint.

2153. And the complaint is not that they have been prevented from voting, but that they have had to pay for the privilege of voting?—Yes.

2154. Have you any mills in your borough?—No.

Mr. Henry Samuelson.

2155. Have you ever heard of men being paid for their loss of time by the agents or friends of any candidate at any time?—No.

2156. I have been told that in some boroughs it is the custom; I thought that it might be so in Wenlock?—It might be in Wenlock, but I am not aware of it.

Mr. BENJAMIN WALL, called in; and Examined.

Mr. Wall.

Chairman.

2157. WHERE do you live?—At Madeley; two miles away from Mr. Hughes.

2158. You are a mechanic, I believe?—No, I am a travelling draper.

2159. You have heard what Mr. Hughes has told us; do you agree in what he has said?—Yes; I think that, with regard to the hours of polling, they are not sufficient for the working men to have an opportunity of recording their votes; neither the colliers, the manufacturers, nor the agricultural labourers, have sufficient time to poll between the hours of eight o'clock and four.

2160. Have you taken part in any of the elections?—In the last election simply as a clerk at one of the committee-rooms.

2161. You give us your opinion in that capa-

Chairman—continued.

city, and not in the capacity of a travelling draper?—I have a general knowledge of the people in the district.

2162. How long have you lived there?—All my lifetime.

2163. You took an active part in the last election?—Yes.

2164. So far as you are concerned, you had no difficulty in recording your vote?—No; I have a pretty accurate knowledge of the neighbourhood.

2165. You have heard the number given to us who voted at the last election?—Yes.

2166. With those figures before you, you still think that it is desirable to increase the hours of polling for the purpose of giving facilities to the voters of Wenlock?—Yes. One reason is this: there

*Chairman—continued.*

there are something like 500 miners on the register, and those 500 miners almost to a man played, that is to say, had a holiday on their own account; they lost their day's work, and their day's wages, in order to give their votes. They could not possibly have voted if they had gone to work, inasmuch as they go to work at six o'clock in the morning, and the majority of them are down in the pit until four o'clock in the afternoon. They have a dinner hour, but it is down in the pit, and they have no facility for coming to vote during the dinner hour. There are 300 and odd miners in the Madeley polling district, and over 100 in the Iron Bridge polling district, which is two or two-and-a-half miles away from Madeley.

2167. You think that if the hours were extended, at all events, beyond four o'clock, they would not make it a holiday, and that after their hours of work they would vote?—Yes, I think so.

2168. There is no sort of custom in Wenlock to have a holiday on election days?—No.

2169. The holiday is taken by the men of whom you speak, because without being away from their work they could not vote?—They could not vote.

2170. It is not taken as a usual custom on election day?—No. Then with regard to agricultural labourers, the distance that they have to come is very great; for instance, there are two villages which are connected with the Madeley polling district; the one is something like four miles away, and the other is about six miles away. I speak of Beckbury and Badger. Those farm labourers could not possibly come to vote, unless they come in their master's time, and my impression is that if men beg the time to vote, the vote is liable to be biased, because it is considered a favour or privilege to be allowed to go and vote.

2171. Can you give us an idea of the number of agricultural labourers who vote in the borough of Much Wenlock?—I should think that one-third of the voters in the borough are agricultural labourers.

*Mr. Isaac.*

2172. You spoke of miners; do you speak from personal knowledge with regard to the shifts in coal mines?—They do not work by shift at Madeley; they do a day's work; they go to work at six o'clock in the morning, and leave in the evening; but there is no night-work except for repairs.

2173. Do you know that of your own knowledge?—I know that of my own knowledge.

2174. Is it not a very unusual course in coal mines to work from six o'clock in the morning until four o'clock in the afternoon?—I believe they work shifts in other districts; but the rule in our neighbourhood is to have an entire day's work.

2175. Are you not aware, also, that as a matter of fact, coal miners take a holiday upon all occasions such as elections?—No, they do not at Madeley, at municipal elections; Madeley ward is a portion of the borough of Wenlock.

2176. In that particular ward the coal miners would not take a holiday at a municipal election?—No.

0.109.

*Mr. Isaac—continued.*

2177. Supposing that a candidate in whom they had a great interest came forward, do you think they would then take a holiday?—No; I should not think they would.

2178. Then how do you account for the great interest which they take in Parliamentary elections?—They have a greater interest in it.

2179. As a general rule they have a greater interest in local matters, and local men with whom they constantly mingle, have they not?—That does not apply to our neighbourhood.

2180. My experience of colliers, which is a somewhat large one, is quite different from yours, but it may be accounted for by difference of location. You are under the impression, I suppose, that the other 500 men who did not vote at the last election would vote after four o'clock if they had time?—No; I think the extra hours would afford a better opportunity for voting. Still my opinion is, that 500 more would not have polled.

2181. Your constituency is 3,492, and you polled over 3,100 of them; do you think that if the hours were extended after four o'clock to eight, or any other time, you would poll more votes?—Perhaps not; but still the men would be able to poll, and go to their work as well.

2182. It is a supposition only that they would go to their work; you do not know that they would go to their work on the day of the election, even though they could poll after four o'clock?—No, but I think they would.

*Mr. W. E. Forster.*

2183. You see some of the voters when you are travelling about, I suppose?—I do.

2184. Have any of them told you that they lost a day's work to go and vote?—Certainly; I have had conversation with a number of them upon the subject.

2185. The honourable gentleman who asked you that question asked you about 500 voters not having voted; I should think that that probably would be much more than the number who could have voted; did you take an active part in the election?—Yes.

2186. The registered electors are 3,492, but you are aware that the registered electors contain double entries, and they contain some men who have died since the register has been made?—Yes.

2187. Consequently the number of voters who did not vote would not be the difference between the number who voted at the general election and the number on the register, but it may be something less?—It may be something less.

2188. The honourable gentleman who has just examined you seemed somewhat surprised at Wenlock men taking more interest in Parliamentary elections than in municipal elections; but I suppose that the Wenlock colliers take a good deal of interest in politics?—Yes, they do.

2189. In fact they are like the men in all large manufacturing boroughs, in which you generally find that a Parliamentary election excites more interest and gets more voters than the municipal elections?—Yes, it is the more general, and the more exciting of the two. A municipal election is more local than a Parliamentary election.

*Mr. Halsey.*

2190. Is there more than one municipal borough

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*Mr. Wall.*

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Mr. Halsey—continued.

borough in Wenlock, or is it one municipal borough?—There are several municipal wards in the borough of Wenlock.

2191. Are Colebrook Dale and Madeley separate municipal boroughs?—No; there are Broseley, Wenlock, and Madeley, wards in the borough of Wenlock.

2192. I suppose that they have town council elections every November; do they generally turn upon politics, or upon local questions?—Not specially so.

2193. In most boroughs, I believe that the town council elections are just as political as the Parliamentary elections?—That is not the rule in Much Wenlock.

2194. Do they generally have a contest at all at the municipal elections, or do they usually go without?—There have been three or four, I think, within the last four years in Madeley.

2195. I suppose that when there is a contest, it generally turns upon some local question, or a question of personal popularity?—Yes, just so.

2196. Do not the voters get excited with that?—No; the municipal elections are more limited, and more local than the Parliamentary elections.

2197. I suppose that practically, as the law now stands, if a man takes a very deep interest in an election, whether it is municipal or Parliamentary, he can record his vote; he is not absolutely prevented from recording his vote?—We are speaking of the question of time, whether a man would have the opportunity if he had the time.

2198. But he is not prevented absolutely by the distance that he is working from his place of abode; he may perhaps lose time and a certain amount of pay, but he can record his vote?—There is a great number who cannot.

2199. Do you not think that 3,121 out of 3,492 is a very good proportion of electors to have polled?—Yes; but you will see from what I have already told you, that 500 of those men lost time in order to poll; they lost a day's work.

2200. Still they did vote?—Yes, they did vote, but they lost time and lost money, of course.

2201. I suppose that if any of us want to vote or to discharge any public duty that does not come every day, we make a certain alteration in our arrangements?—Yes, but if you gave facilities to the working men for voting without losing time or money by it, I think it would be so much the better.

Mr. Alfred Gathorne Hardy.

2202. There is a polling-place, I suppose, at Madeley?—Yes.

2203. How far is that from the pit mouth; it is quite close, is it not?—It is not far away from several of the pits.

2204. The collieries at Madeley are immediately around there; I suppose that the farthest of them is not far away?—A mile or a mile and a half.

2205. But the great majority of them are about half a mile from the polling place?—Yes.

2206. The colliers, in order to vote, take a holiday for the entire day, because usually they go down to the pit, and they work there the whole day, and come up in the evening?—Yes.

2207. Have you heard of their making any application to the owner of the colliery to allow them to come away for half an hour or 10

Mr. Alfred Gathorne Hardy—continued.

minutes or so, for the purpose of voting?—No, I have not.

2208. Do you not think that if they were to ask for a short time to go away to vote, they would be carried up in the cages and allowed to vote in the middle of the day?—No, I think not.

2209. It seems to me that the owners of the collieries would incur great odium if they did not allow that?—The owners of the collieries are not the actual managers; they are sub-let to charter masters. If they were in the hands of the proprietors, perhaps I should not give the opinion that I have given; but they are sub-let to charter masters, and those charter masters have the control of the men, and of the men's time.

2210. Supposing that instead of taking a holiday the men chose to take an hour more or less with a corresponding deduction from their wages, do you not think that would be enough?—It would be breaking the system; they would not be allowed to come up from the pit.

2211. At any rate, you have never heard of their making any such application?—No, because I think it would be useless.

2212. You are not a collier yourself, I think?—No.

2213. At any rate, you do not know of any such application having been made?—I do not.

Mr. Cotes.

2214. As a matter of fact, in the election of 1874, did not a number of colliers refuse to go down into the pit for fear that they would not be able to come up again?—They did.

2215. Is not the borough cut in half by the River Severn?—It is.

2216. And on the southern side of the Severn there are two towns, Broseley and Wenlock?—Yes.

2217. What are the voters by trade or occupation who do not live in those two boroughs; are not the bulk of them agricultural labourers round about Ditton Priors and Burton?—Yes.

2218. You think that altogether something like one-third of the electors are agricultural labourers?—Yes.

2219. I believe that politics have never run very high in the Town Council of Wenlock?—No.

2220. As a matter of fact, the mayor is elected by turn from each of the wards?—Yes.

Mr. Burt.

2221. What number of miners are there in the borough of Wenlock?—I should think there are something like 1,200 employed at the pits. There are about 24 pits under the Madeley Wood Company and the Madeley Court Company.

2222. Are you able to state what proportion of them are on the register, and entitled to vote?—Something like 500.

2223. I understood from you that the usual time for going to work is at six o'clock, and that they come out of the pits at four o'clock?—Yes.

2224. In that case, it would be absolutely impossible for them to record their votes during the present hours of polling without losing some part of their time, would it not?—Quite impossible.

2225. An honourable Member just asked you if you had ever heard of any application being made

*Mr. Burt.*—continued.

made on the part of the miners to the owners to allow them to come away for half-an-hour; you are not a miner yourself?—No.

2226. Do you know the distance under ground of these mines; I mean the distance from the shaft to the face?—In some cases it would extend the distance of a mile or a mile and a-half.

2227. So that it would take considerably more than half-an-hour or an hour, in many cases, for the men to come up to record their votes?—Yes.

2228. Could the men be brought out of the pits without at the same time stopping the operations of the colliery?—No, I think not.

2229. It would interfere with the getting out of the coals?—It would.

2230. Owing to your travelling about, you come very constantly into contact with the working men, do you not?—I do.

2231. Have many men complained to you of the fact that they have to lose their wages under the present system if they wish to vote?—They have.

2232. And have they regretted that the hours of polling are not extended, saying that they would then be able to vote without losing their wages?—They have.

2233. You have heard that opinion expressed frequently?—I have.

2234. Constantly, would you say?—Yes.

2235. You say that it is the general opinion of the working men in your borough?—It is the general opinion of the miners in the Madeley district.

2236. As expressed to you by them?—Yes.

*Mr. Isaac.*

2237. I do not exactly understand your description of this borough of Wenlock; in reply to some questions, you said that there were three municipal boroughs; is that so?—Not boroughs, but wards in the borough.

2238. And the mayor is elected alternately from each of those particular wards?—Yes.

2239. Do you know anything about the election of the mayor?—No, I do not.

2240. Do you know generally much about elections, either Parliamentary or municipal?—I had some little acquaintance with the two elections in 1874.

*Mr. THOMAS GLASSEY, called in; and Examined.*

*Chairman.*

2256. I do not know whether I am correctly describing you as a Commission Agent at Morpeth?—That is quite right.

2257. Did you take an active part in the Parliamentary Election in the Borough of Morpeth, which resulted in the return of my honourable friend?—Yes; there has been only one Parliamentary election for many years.

2258. You are aware of the general feeling which exists upon this particular subject which the Committee are discussing?—Yes; I was vice chairman of Mr. Burt's election committee. I should speak more correctly, I think, speaking as a miner on that occasion; it is two years ago since I took up the profession of commission agent.

0.109.

*Mr. Isaac.*—continued.

2241. But very little, I suppose?—Not very much.

2242. You do not appear to have given that consideration to politics which would be necessary to give a person a general knowledge of elections?—I am not a thorough politician, perhaps.

2243. I thought so, by the way in which you have been giving your evidence. Having regard to these working men with whom you have had so much conversation, not being a politician, did you purposely ask them about recording their votes?—No, I did not.

2244. They volunteered to tell you, that if they had more time, they would be able to vote without losing their wages?—I have heard them say so of their own accord, without asking them at all.

2245. How many have you heard say that?—A great number.

2246. Five hundred?—No, not 500.

2247. One hundred?—Perhaps not 100.

2248. You are expressing yourself to the Committee, and leading them to believe that a very large proportion of those 313 men who did not vote, as well as some few who did vote, would have voted more satisfactorily if the hours of polling had been extended; you are giving now the opinion of a very few with whom you have come in contact?—I say a good number.

2249. What do you call a good number?—I could not give you a definite number.

2250. I ask you whether you had heard 500 say so, and you say no. I ask you 100, and you say no?—Perhaps nearly 100.

2251. Out of a constituency of 3,400?—Yes.

*Mr. Cotes.*

2252. I believe that a much larger number of electors polled at the second election of 1874 than at the first?—Yes.

2253. The second election in 1874 was a contest between two gentlemen, both connected with the district, was it not?—Yes.

2254. And that might possibly account for the very large number of voters who recorded their votes?—I daresay it did.

2255. It was a very exciting election, was it not?—It was.

*Chairman.*—continued.

2259. You were at the time of that contest a miner?—Yes, a working miner.

2260. What pit were you working at?—At Choppington.

2261. The constituency of Morpeth is a scattered constituency, I think?—Yes.

2262. Are you provided with figures as to the number of electors and the number of polling places?—The number of electors in the Borough of Morpeth in 1874, I think, was 5,200. For the district of Bedlington, at that time, they were in the habit of dividing the electors, and when the revision court previously to the election was held, 210 of the 10 l. voters list got mislaid, and it was not included in the official register.

2263. Then, in fact, there is a larger number of

*Mr. Wall.*

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*Mr. Glassey.*



Mr. Glassey.

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Chairman—continued.

of voters than appears in the official register?—Yes, quite so.

2264. Can you give us the number of voters who recorded their votes at that election?—I think, speaking in round numbers, about 4,000.

2265. Speaking generally, what number of that constituency were working in the collieries?—I think at that particular date there would be, speaking correctly, fully 3,500.

2266. Previously to this election had you considered the question of extending the hours of voting at all?—Not previously.

2267. Subsequently to the election was there any general feeling that the hours of polling had caused inconvenience?—Yes.

2268. Had you any meeting or discussions upon the point after the election?—We have not had any formal meeting, and during the bye-election that took place in Newcastle in the month of January 1874, when the artizan class made an application to the officials of the town to hold the election on a Saturday in order that the working men might record their votes with ease and despatch and without much loss, there was a general feeling in the district with which I am connected that there was a wrong done to those people.

2269. That is to say, Saturday being as a rule a half holiday, it was the desire of the classes in that district, on behalf of which classes you now particularly speak, to have the day of election upon that half holiday, that they might vote?—Just so.

2270. Were any considerable number of miners prevented from voting in the contest at Morpeth by the hours of polling?—None at all; we took a general holiday.

2271. Was that general holiday taken within your knowledge because it was an election day, and from a general feeling that under the circumstances it should be a holiday, or was it taken because of the necessity of abstaining from work in order to vote?—In order to vote.

2272. In your opinion, therefore, if the hours of polling were extended, the probability is that there would be no holiday generally taken in the district, but that men would vote after their hours of work?—I do not think that there would be a holiday taken; and I think also that at a time like the present, when trade is so very much depressed, men would if possible avoid taking a holiday.

2273. How many working days are they getting now?—I think speaking generally during the last two years about seven days a fortnight.

2274. What are the hours of working within the Parliamentary borough of Morpeth?—In the Parliamentary borough of Morpeth the miners work two shifts; the pits are worked on what is called the double shift system. The first part of the men go down the pit at four o'clock in the morning, and they are relieved by what we term in our locality their "marrows" at nine o'clock.

2275. At what time do the men who go down at nine o'clock, come up?—The pit is stopped at four o'clock.

2276. You say that some hours of extension are necessary; how far do you think that the hours should be extended?—In order to give facilities for the working men to record their votes,

Chairman—continued.

considering the distance, and considering the time at which they go to their work, I do not think that eight o'clock would be too late to extend the hours to.

2277. With regard to the shift that go down at four o'clock in the morning, there is no necessity to legislate for them?—No.

2278. But with regard to their marrows, who go down the pit at nine o'clock and come up at four, would or would not an extension of the hours of polling till six o'clock be sufficient?—I do not think it would.

2279. I understand that a man coming up from the pit would like to get himself washed before he goes to poll; speaking generally, throughout the district, at what time would a man get home from the second shift?—About five o'clock.

2280. And therefore he would not have time to get to the poll before six o'clock?—No. Take for instance Cambois colliery, one of the largest in the county; in 1874 there were something like 600 and odd workmen; there are 358 electors at that colliery, and the nearest polling station is four miles away. By the time the men get out of the pit, and wash and take their dinner, it is absolutely impossible that they could be at the polling station even at six o'clock.

2281. And in consequence of that, a great many of them did not vote?—I did not say that they did not vote, but under the present arrangement they could not vote.

2282. You told us that they took a general holiday, but that this general holiday would not be taken if the hours were different?—I do not think it would; that is my decided opinion.

2283. Have you considered the question of expense at all?—Yes, it is a very serious item, and I think it should be considered.

2284. You have something to do with the management of the expense at the last contest, I presume?—Yes.

2285. If such an extension had been then in effect, would the expenses of your candidate have been materially increased?—I do not think they would have been increased so far as our own particular borough is concerned. No doubt the officials employed to conduct the election would have to work extra time. I think they should have extra pay, and that would involve extra expenditure, of course.

2286. At what time did the returning officer declare the poll?—Not until the next day; it is such a long distance to bring the ballot boxes.

2287. The expense would be increased to the extent of the presiding officers and clerks being engaged at the booths four hours longer?—Speaking fairly, I think it ought to be increased to a certain extent if you ask the men to do the extra labour.

2288. The returning officer did not declare the poll the same night, and it is not probable that he would, because of the distance which they have to convey the ballot boxes?—No.

2289. Have you thought that an increase of the polling stations would facilitate the giving of the votes?—I do not think it would obviate the difficulty entirely, because at a time like the present, when a number of our pits might be standing, the men would be obliged to live in employers' houses in different parts of the district, and the probability is that they would have to travel long distances even then.

2290. You



*Chairman*—continued.

2290. You seem to have looked at this question from more than one point of view; have you looked at it from the point of view of the inconvenience of voting in the dark, and of lighting up the polling stations in outlying districts?—I think it is a matter which should be looked into; but I think that so far as the district to which I belong is concerned, it would not have the slightest effect so far as rioting, or anything of that kind, is concerned, and the expenditure for gas would not be a very serious item.

2291. One shift would vote early in the day, would they not?—No doubt.

2292. Would it not be the general custom at Morpeth, as elsewhere, to try and get all the voters to vote as early as possible?—Of course.

*Mr. Burt.*

2293. I think you have already stated the proportion of miners in the borough of Morpeth?—Yes, at that particular time. Of course I am now giving evidence bearing upon the election of 1874.

2294. How many separate collieries are there in the borough?—There are nine collieries. We sometimes class two of them together; for instance, we have two Bedlington, but we call them one. At that particular time we calculate that we had nine collieries in the borough.

2295. Will you state to the Committee the hours during which the pits draw coals?—In 1874 they drew coals from six o'clock to four; ten hours.

2296. Do they do that at the present time?—There is an alteration in the hours since that time. The employers, for some cause, thought that a re-arrangement of the hours to a certain extent should be made, and the miners, of course, agreed; so that now they commence to draw coals a little later, probably at half-past six, and they draw coals up to half-past four; but the time at which they stop the pits now is half-past four.

2297. Then there will be a certain proportion of the men engaged during the whole of the 10 hours, screeners and others?—Yes; with the exception of the hewers, stonemen, shifters, and deputies, they are all employed.

2298. They could not during the present hours, without losing time, record their votes?—They could not do it at all.

2299. Coming to the hewers, who constitute the great bulk of the miners, I think you stated, in answer to the Chairman, that, so far as the fore-shiftmen are concerned, there is no difficulty. Of course they could record their votes in the present hours?—No difficulty whatever.

2300. But I suppose that the stoppage of the back-shiftmen from going to the pit would necessarily stop the whole of the pit?—Yes; I do not think the employers would set their pits going unless the full number of men were at work. The expenditure, of course, would be considerable for a single shift of men.

2301. Could you give the Committee any rough estimate, approximately correct (of course it would be to some extent guess work), of the cost involved in the lying idle of the pits on the occasion of the last general election?—It is very difficult to get correct data upon that point; but if you take the number of men employed in the

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*Mr. Burt*—continued.

borough of Morpeth in 1874, electors and non-electors, to be something like 4,500 and odd, taking all classes, those that are paid a high wage and those that are paid a lesser wage, you will see at once that the item would be considerable; but to get correct data would be very difficult. I attempted to get it from one of the employers, but he was so absorbed in business that he could not supply it.

2302. In the ordinary course the pits never work, I believe, 12 days a fortnight?—No it is not the custom.

2303. Would the lying idle of the pit on the occasion of an election, at a time of depression of trade such as this, cause any great inconvenience to employers of workmen?—Immense. Take for instance an employer having an order (and at a dull time like this, of course orders are difficult to get) for a cargo of coal; and supposing that the cargo had to be loaded at a particular time, and that an election should occur, and that the men should ask the employer, as I think they have a right to do, that they should be afforded facilities to record their votes, the probability is that it would not be in the employer's power to grant those facilities without incurring great expense, and risking the non-fulfilment of his contract in due time.

2304. So that there is no power of selection on the part of the employers or of the workmen, in taking particular days?—No; I do not think so, unless the arrangement could be made a considerable time before the election occurred.

2305. I suppose that a considerable number of the miners live at a great distance from their work?—Yes, a considerable number do. It depends greatly, of course, upon the state of trade. When trade for instance, as at the present time, is very much depressed, the employers very often have houses suitable for the workmen. On the other hand when trade is good, the men have to find houses where best they can, so that they have long distances to travel above ground to get to their work. It depends entirely upon the length of the pit how far they have to travel below ground.

2306. Do you know any cases when men have to travel two or three miles to their work?—When I came first to the district, Cambois was a new colliery, and I could get neither house nor lodgings nearer than Bedlington, a distance of four miles; and I think that during the years of brisk trade numbers of the men would be travelling from Bedlington to Cambois and elsewhere in the locality.

2307. Could you give the Committee some notion of the polling arrangements on the occasion of the last election, particularly in what we may call the mining parts of the constituency?—In the polling district of Bedlington, in which there is the largest number of electors, 2,700 and odd, there were four polling booths; for Cowpen and Blyth there were four, and for Morpeth there were two. We had 10 altogether.

2308. Where do the men belonging to the West Sleekburn colliery record their votes?—At Bedlington.

2309. What is the distance?—I should say that from West Sleekburn to Bedlington is fully two miles.

2310. And the men of Cambois would record their votes at Bedlington?—Yes.

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2311. What

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Mr. Burt—continued.

2311. What is the distance?—Upwards of four miles, I think.

2312. The Chairman asked you whether the difficulty would not be obviated by increasing the number of polling places, and I think you stated that it would not?—I do not think it would.

2313. Of course it would be a great convenience to have a greater number of polling places?—Yes.

2314. But that would necessarily increase the expense?—Of course it must. You would probably have to employ the whole of the staff for a small number that you have to employ for a large one.

2315. Can you give the Committee some idea of the number of additional polling places that would be required to prevent this great amount of walking?—Nedderton, which is at a distance of a mile and a half or two miles, would require one; at Cambois, at West Sleekburn, and at the Guide Post you would require one; that is, for the district of Bedlington; you would require one at Bebside, which is two miles from the polling station; and at Newsham also, which is at the extreme end of the borough, you would require another.

2316. The Bebside and Newsham voters go to Blyth?—The Newsham voters vote at Blyth, and the Bebside voters at Cowpen Quay.

2317. What is the distance?—It is fully two miles, I think, from Bebside to Cowpen.

2318. Of course we have confined our questions chiefly to the case of miners; but do you know anything of the town of Morpeth itself, and of the working men, other than miners, who are connected with it; is it a fact that, in proportion to the size of the town, there is a considerable number of men working away out of the town, who cannot record their votes with the present hours of polling?—At Morpeth proper there were something like 850 voters at the last general election; there are about 46 freemen, and there are, in the town of Morpeth, I think, something like 250 who pay rates on 10*l.* and upwards, who are what you would not consider working men; so that you will see at once that a large proportion of the Morpeth population is of the working class, who really could not record their votes in the time afforded them at present. During those years of prosperity of 1871, 1872, 1873, and part of 1874, of course there was a considerable deal of building going on in the districts of Bedlington, Cowpen, Blyth, and elsewhere, and many of those men travelled by train to work in those districts. The earliest train reaching Morpeth at night, in which they could get home after their day's work, was at half-past five o'clock; so that it is practically impossible for those men, after finishing their work, to be there in time to record their votes without losing part of their day.

2319. In answer to a question which was put to you by the Chairman, you made reference to the Newcastle election of 1874. I believe that there was great, I was going to say, pressure; at any rate, there was great solicitation on the part of people interested in that election to induce the returning officer to fix the polling-day on a Saturday, in order that the working people might have an opportunity of recording their votes?—Yes.

2320. I hold in my hand an extract which pur-

Mr. Burt—continued.

ports to be from the "Newcastle Chronicle" of 15th January 1874. I will not trouble the Committee with reading it; but it states that at the dinner hour, from twelve to two o'clock, in the All Saint's Ward of that borough, which is a great working men's ward, the influx of voters was something extraordinary, and that a very large number of men had to go away after waiting a considerable time to record their votes without having the opportunity of recording them. May I ask if you know anything at all about that ward, or if, when you were in Newcastle on that occasion, you paid any particular attention to that ward?—I took a very great interest in the election to which you refer; in fact, I volunteered my services to work in that particular ward to which you refer, namely, East All Saints. There are, I think, in that ward, something like 3,700 and odd voters, of whom 2,444 polled. At the dinner hour you say there was a great influx, and, in fact, considerable pressure. I observed during that hour, from twelve to one o'clock, that many had to go away unable to record their votes, and who lost their dinner besides, whilst some remained, and, of course, lost the rest of the day in order to record their votes.

2321. So that you can confirm this statement to which I have made reference?—Perfectly, as regards that particular ward.

2322. Have you any reason to think that the public had any strong feeling on this subject; were they strongly desirous of having the hours of polling extended?—My own experience is that they have a decidedly strong feeling, and would agree, and with some amount of satisfaction, to an extension of the hours of polling.

Mr. Henry Samuelson.

2323. With regard to the expense of extending the hours of polling till eight o'clock, could you form any estimate of what the increase of expense would be?—It would be very difficult to form an opinion. It entirely depends upon how these people should be paid for the extra labour performed.

2324. Would it make a difference of 100*l.* in Morpeth?—Nothing like it.

2325. Would it make a difference of 50*l.*?—No. I do not think it would make a difference of above 20*l.*

2326. Do you think the expense of adding a number of additional polling places would be much greater than that of extending the polling during four hours?—Considerably greater.

2327. So that on the score of expense you think that the plan of extending the hours of polling, has an advantage over the plan of extending the polling places?—I think the same number of officials as are now employed in those various districts which I have enumerated, would be required in the various districts at which I suggest that polling places should be placed; and that of course would make a heavy increase in the cost.

2328. So that it would be much cheaper for people who manage and pay for their own elections, if they had four additional hours given on the day of polling, than it would be for them to have an additional number of polling places added?—Yes; in my opinion it would be much cheaper.

2329. And

*Mr. Henry Samuelson—continued.*

2329. And you have had experience of the management of an election?—I have had experience of the management of that election.

*Dr. Cameron.*

2330. You said that you estimated that the cost of extending the hours would not exceed some 20 *l.* or 25 *l.*?—I do not think it would.

2331. You told the Committee that you could not give the exact figures of the loss involved by the men staying away from their work, but of course that would be infinitely greater?—Certainly.

2332. It would amount to 1,000 *l.* probably?—It must do so from the number of men employed.

2333. The men themselves, who I suppose paid a large proportion of the election expenses, as the matter at present stands, had both to lose their 1,000 *l.*, and to pay their share of the official expenses as well?—Yes, that is so.

2334. Can you inform the Committee what the acreage of Morpeth is?—Fourteen thousand three hundred and sixty-two acres. There is one point that I think my friend was driving at, and that is this: at the time to which I refer, the trade was particularly good, and the men were in the position to take a holiday, and the employers were in the position to afford one; but now times are entirely changed, and the circumstances are quite different.

2335. Are the off-days when the miners do not work, the same all over the district?—It varies in different pits.

2336. Therefore the suggestion that some off-day should be selected for an election is hardly practicable?—It could not be done generally. Since the new arrangement of hours, the men have agreed, and the employers have asked, that the men should work eleven days provided that they have trade; and even if the polling took place on Saturday it would not obviate the difficulty so far as that is concerned; because the only day on which the men are idle is the Saturday; but some men are working on Saturday and some are idle; they are paid on Friday, and they stop the day following.

*Mr. Alfred Gathorne Hardy.*

2337. I understand you to say that the population of Morpeth is a very orderly population, and you consider that at any rate there would be no danger of rioting from an extension of the hours?—I have no fear of danger; we are pretty quiet people in the north of England.

2338. But you confine your answer to Morpeth?—Yes, of course.

2339. You would admit that polling after dark in the winter would in a riotous district increase the risk of rioting?—Yes, but where is the riotous district?

2340. I understand you to confine your answer to Morpeth; but you admit that where there are rioters, extending the hours of polling to eight o'clock would increase the danger of rioting?—I would not like to make such an admission, because I am not aware that there are districts where there is danger of rioting. We suppose that people are generally quiet; we do not manufacture rioters.

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*Mr. Isaac.*

2341. You are a commission agent, I believe?—Yes, I am now.

2342. A commission agent in what way?—Buying and selling goods on commission.

2343. Are you in any way connected with any political institution?—Of course I am connected with a political party in the borough to which I belong.

2344. But are you a paid officer of any political institution?—Not one.

2345. And your services on all political occasions are gratuitous?—Entirely.

2346. Do you belong to any trades union?—I did previously to leaving the mines.

2347. You are not here as the representative of any particular class of persons in the way of unions or political parties?—Of course, the borough of Morpeth is chiefly composed of colliers or miners, and of course the miners are in trades unions, and being here as representing them I may, practically, say that I represent a trades union.

2348. I think you said that it would be a convenience to the electors of your district if the polling was on a Saturday?—It would not be a convenience generally, as I have said already, because, according to the late arrangement, the pits work eleven days, provided that there is trade for them, and some of the pits are paid on the one Friday and some on the other, and the only day that they are idle is the Saturday following the pay day.

2349. You could not possibly make an Act of Parliament to suit every particular period, so that what was suitable in 1874 might not be suitable now, and what might be suitable now might not be suitable in a year or two years' time, when the next election comes off?—I do not think that. I think that what was suitable in 1874 would be suitable now, further than this that the men were then in a position to take a holiday, and with the fearful depression under which we are now suffering it could not be so.

2350. If I understand you rightly, at the time they were in such a prosperous state they worked 10 days in a fortnight where they are now working 11?—No; I said at that time the men were working generally about 10 days. Since that time, when trade has become depressed, they are only working seven days a fortnight, and they have agreed in the event of trade coming to hand to work eleven days; but we are working, on an average, seven days.

2351. Then assuming that an election were to come off now, you think that there would be no difficulty in the men going to poll?—I do not see that. One pit may be idle, and the others may be at work, so that it is not general.

2352. The fact is, that according to your notion, nothing could be done but extending the hours to meet the views of the electors of Morpeth?—I do not think so.

2353. You said that the polling station of the principal town was about four miles from where the men were working, did you not?—What I said was this: that one particular colliery, namely, Cambois, where we have or had upwards of 600 men employed, and 350 electors, is four miles from the polling station.

2354. That would be obviated surely by giving them a polling station within half-a-mile of where they work?—It would obviate the difficulty with the

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Mr. Isaac—continued.

the exception of some men who might have to live in other parts of the districts, which occasionally occurs.

2355. With regard to the question of expense, you said in answer to an honourable Member, I think, that the expense would not be increased in Morpeth by extending the hours?—Not to any great extent.

2356. We have had evidence here from almost every place, and it has been one of the admissions that it would increase the expense, and that very considerably?—Yes, it would be increased; but not to the same extent as it might be perhaps in other places.

2357. You said that there would be a difficulty in a colliery, if the proprietor got an order for a shipment on a particular day, if the men were to take holiday?—Very great difficulty.

2358. Is it usual in that district that if a vessel comes in there to load with coal, she is sent out the same day?—It entirely depends upon the size of the vessel, for instance.

2359. I will take an ordinary vessel; is it usual for a vessel to be loaded and cleared the day of her arrival?—I think that if she is a large vessel it is very unusual.

2360. Take a vessel of small tonnage, is it usual for a vessel to be loaded the day she arrives there?—That I could not speak of correctly.

2361. So that your statement that it would be serious to the mineowner if his men took a holiday, must be qualified to the extent that you could not tell whether ships are loaded on the day of their arrival or not?—I could not say when they are loaded, but I have heard complaints of that kind made.

2362. How could you prevent an order coming to the colliery on the day that an election was fixed?—It could not be done.

2363. So that the inconvenience or loss to the mineowner from the men being absent from their work would not be of that importance that you assumed in giving your evidence?—Of course, according to what I stated, if an order of that kind came, and the employer had made an engagement to have his vessel loaded on a particular day, and the electors at the eleventh hour agreed to leave the pit idle, it would be a great inconvenience to the employer; but, on the other hand, if the employer knows that an election is to take place on a certain day, and the hours are arranged that the men can record their votes without stopping the mine, he is quite easy, and is able to fulfil his arrangement.

2364. A colliery proprietor always knows some considerable time before the election the day on which the election is to take place, does he not?—Yes; but there is one point I wish to mention here, that in the event of the present arrangement taking place, if an order of that kind to which we have referred comes to hand, and the men for some particular reason at the eleventh hour, after the arrangement with the employer and his merchant is made, agree to leave the pit idle, there is no doubt that there would be considerable difficulty and expense incurred by the employer.

2365. On the other hand, a colliery owner making arrangements for loading a ship always takes a certain number of hours without having

Mr. Isaac—continued.

to pay demurrage to allow for accidents; every colliery proprietor in all contracts that he makes stipulates that the stoppage of the pit is to free him from all damages, does he not?—I could not speak to that, but I may say that I am giving this now from what I have learned from coal-owners, from time to time, being closely connected with miners; and the reason they asked for a re-arrangement of the hours was to obviate that difficulty.

2366. You said that when you first went into that district you went to a new colliery, and you could get no accommodation, excepting four miles from where you were working—Fully that.

2367. That was a new colliery, and that circumstance would not extend to old collieries, or even to that one after they had time to erect their dwelling houses, would it?—Yes, it would to a certain extent. For instance, as I have already stated, in the time of brisk trade the employer who likes to make hay while the sun shines, would employ an extra number of hands; but he has no more houses and, the result is that the men have to find houses where they can, and as best they can.

2368. But that class of men would not be electors; were you an elector when you first went there?—They are electors after residing there for a given period.

2369. You must reside at the place a certain number of months before you are an elector, so that if you go from Newcastle to Morpeth you are not an elector of Morpeth until you have resided there a certain time?—Certainly.

Mr. Henry Samuelson.

2370. But you are still an elector of Newcastle?—Yes. There is this difficulty: in 1871 trade began to revive, and it continued well up until 1874; there were numerous houses built by the employers, but they employed a greater number of men than they actually had houses for. Those men resided in different districts for about three years, and were obliged to travel long distances to their work at the different pits in the locality.

Sir William Cuningham.

2371. With regard to the question of expense, do you not employ cabs at your elections at Morpeth?—Not the candidates. Any cabs that we had (and they were very few) were given by parties for the conveyance of old people.

2372. How many polling stations are there?—Ten booths, and four polling stations.

2373. Were they all lighted with gas?—Yes, at present they would be. At that particular time we had not gas at Bedlington, but we have now, and they would be all lighted with gas at present if an election took place.

Mr. Henry Samuelson.

2374. With regard to what the honourable Member for Nottingham suggested, the addition of a polling place would not obviate the difficulty that the back-shift men, who cannot get out of the mine during the day, have in voting, would it?—They could not do it; unless the men could get out in time they could not vote.

2375. You do not contend that it is impossible for the owner to lay the pit idle on an election day,

*Mr. Henry Samuelson—continued.*

day, but you say that it would be a great inconvenience?—I do not say that it would be impossible, but it would be a great inconvenience. I think that it is a great tax upon the working man, and a tax that they should not be asked to bear.

2376. The fact that the colliers only work seven days a fortnight now, would not make it more easy to fix a bye-day for the election, because the collieries are not all at work, or at play, on the same day?—No, it depends entirely on trade. The difficulty, in certain cases, would exist all the same.

2377. So that none of the suggestions made would meet the case, in your opinion, except the extension of the hours?—I have not heard a single suggestion, except that which would meet the case, so far as our district is concerned.

*Chairman.*

2378. Your back-shift men go down at nine o'clock, do they not?—Yes, at that time they did.

2379. And the poll is open at eight o'clock, is it not?—Yes, that is our time.

2380. Would the distance be such that the men could not get to the poll by eight o'clock and record their votes, and be at the pit by nine o'clock?—It could not be done. For instance, from Cambois they have four miles to go, as I have already pointed out. At Nedderton it could not be done. We are obliged to go to the mine at a certain time, before we go down the mine, in order to have our tools put in order and sharpened for the day's work.

2381. With regard to the shift that goes down at four o'clock in the morning, those men can vote; but with regard to the back-shift men who go down at nine o'clock, supposing that the polling booth were opened at seven o'clock in the morning, would there be any difficulty then in the back-shift men recording their votes before nine o'clock, without any inconvenience that would be complained of?—Of course they could record their votes.

2382. Supposing that they could, would it not be desirable and better to have the voting earlier in the morning, than to extend the hour to eight o'clock at night?—I do not think so; there would be a considerable increase of expense.

2383. One hour earlier in the morning is my suggestion; do you see any practical objection in your district, even in winter, to opening the polling place at seven o'clock, instead of eight o'clock?—Of course it would afford facilities for persons recording their votes.

2384. Would there not, within those two hours, be ample margin for voters to record their votes?—Not according to the arrangements that we had on the last occasion.

2385. You think that even with that additional hour at the commencement of the day, the expense of adding the two or three more polling places which would be necessary, would be much larger than the expense caused by the extension

*Chairman—continued.*

of the hours until eight o'clock in the evening?—Considerably larger.

2386. And without such polling places your grievance would not be met by opening the poll at seven o'clock?—No.

2387. Say that a man is living at Cambois, and working at Cambois, would he have to go all the way to Bedlington to vote?—Certainly.

2388. How many voters have you at Cambois?—Three hundred and fifty-eight.

2389. Surely the authorities at Morpeth ought to give a polling place at Cambois?—But there is the expense which the candidate has to bear, which I think he ought not to be asked to bear. As a gentleman suggested here, the working men in our district are asked to bear the expense, which it is right and proper that we should bear; but I think it would be hardly fair to ask us to bear this further expense, rather than extend the hours of polling.

2390. You consider that an extension of the hours of polling would give you the means of voting, whereas an extension of the number of places of polling would cause more expense, which you would not think it right should be thrown upon you?—I do not think it is right that it should be thrown upon the candidate in any district; I think the less the expense that any man is asked to bear, the better.

*Mr. Burt.*

2391. I understand your evidence to be distinctly, that with the present hours of polling it would be impossible, unless by stopping the pits, for the miners in the borough of Morpeth to record their votes?—We could not do it.

2392. You are not able to give the Committee any definite information as to the expense of the stoppage of the whole of the pits in the borough of Morpeth?—It would be very difficult to give the exact data.

2393. It would amount to several thousands of pounds, would it not?—It must do that. There are more than 4,500 men, and hundreds of horses, employed in these pits. Those horses of course have to be fed and attended to, and if no work is done the cost must be something serious.

2394. And the sacrifice, so far as the workmen are concerned, would not devolve entirely upon the electors, but would also come upon non-electors as well?—Certainly, all parties must suffer.

2395. Of course you are not able to give any special information as to the loading of ships; but I suppose that you know, as a matter of fact, that the owners are extremely anxious to have their ships loaded with the utmost possible speed?—Certainly; and that is one of the chief reasons advanced by the owners for asking the men to agree to a re-arrangement of the hours, so as to get the ships loaded and dispatched.

2396. When they have orders in, there is nothing more distasteful to the owner of a colliery than to have his pit lying idle?—That has been my experience for many years.

*Mr. Glassey.*

27 June  
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*Mr. JOHN BRYSON, called in; and Examined.*

*Chairman.*

2397. I THINK you are President of the Northumberland Miners Union?—Yes.

O.109.

*Chairman—continued.*

2398. I understand that you have come here to give evidence with regard to the extension of the

*Mr. Bryson.*

O 2

Mr. Bryson.

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Chairman—continued.

the hours of polling; having heard the evidence that Mr. Glassey has given, do you agree with the tenor of it, or is there anything that you wish to add on any particular point?—I agree with the bulk of it. There are some things that Mr. Glassey was not able to inform the Committee upon which I think I might inform you about.

2399. The Committee will be very glad to hear what points those are?—There is the wages loss in keeping the pit idle one day to allow the men the privilege of voting. I have got the wages loss for the following collieries: Bedlington, Barrington, Sleekburn, Nedderton, Bedside, Newsham, and Cambois. For the pits being idle one day it would amount to 1,092*l.* 7*s.* 2*d.* in wages alone; and there is the loss to the trimmers on the quay who trim the coals in the ship; and there are the wagon men and the labourers above bank who are not taken into this account at all.

2400. Is there any other point which you wish to put before the Committee?—Mr. Glassey was not able to answer a question that was asked as to whether they could load a ship in one day, or whether it was necessary to have more than one day. I may say that it is very desirable that a ship should be loaded as speedily as possible, because the expense, every hour she lies in the harbour, is increasing; and we may load the largest vessel that can come into Blyth harbour in one day, and from one pit.

2401. From your knowledge of the general state of the trade, and the coming in of orders to the various pits, you can say that it would not be possible, consistently with rapidly fulfilling orders that are coming in, to fix any particular off-day for all the various collieries in the district at an election time?—I think it would entail very great loss not only on the owners but on the workmen, and on the shopkeepers and others who depend upon the workmen.

2402. Speaking generally, you agree with Mr. Glassey, that some additional facilities might be given to the miners to vote, even supposing that they may be at work on the same day?—I think it would be a great advantage to extend the hours, say to eight o'clock.

2403. Supposing that there were an election for the borough of Morpeth next week, and that it were possible to extend the hours at once, and that the hours were from eight to eight, is it your opinion that the men would not take a general holiday?—I have a very positive and good knowledge of the men, and I speak with certitude when I say that they would not take a holiday. If there was a lack of trade, and the owners did not care about working, of course the men would not mind; but if the owners said that there was trade, and desired the pits to work, I am positively sure that the men would not object to work. I speak that with certainty.

2404. The election day is a great day for the bands, is it not?—It is.

2405. Would there not be some feeling or other in favour of a general holiday; is it not a general custom for all the bands to play and make a sort of gala day on an election day?—It is.

2406. Would there not be some feeling that it would be a good thing to have a general holiday?—No; if there was trade I would say with positive knowledge that the music would have no effect upon them at all; that they would go to work. They adhere to duty. We live on very agreeable

Chairman—continued.

terms with our employers, and we seldom have any dispute that cannot be rectified with a little conciliation and good sense; and with the good understanding that exists between us and the employers I am sure that the men would not at all take that advantage; it would be a loss to themselves if they did, and they have sufficient sense to know that, I think.

Mr. Isaac.

2407. You gave us some figures just now; would you mind telling us from what source you have made your calculations?—We get returns in order to prepare for arbitration cases when the owners ask for a reduction of wages. We have the wages of each man sent in to the office every fortnight, and those figures are tabulated, and we can go to them at any time. They are also, in order to ensure accuracy, compared with the owners' pay bills; so that there is no dispute between the two; and we can therefore submit them to the umpire, or an arbitration board, with a certainty of their being correct.

2408. That thousand pounds that you spoke of was the pay that the underground men would have received, assuming that they had worked on that particular day?—Yes.

2409. If there is that loss why do they take so many holidays at other times?—They do not take many holidays.

2410. The colliers, as a rule, in some districts do take a great many days for holidays without studying the convenience of the owners of the mines; fortunately for the mine owners in your districts, you do study it?—We all have an eye to our family and to the welfare of our household, and I think we have a very steady class of men.

Dr. Cameron.

2411. As to the use of bands, how do you come to have bands at elections; I thought they were illegal?—They are voluntary bands.

Mr. Burt.

2412. The bands that the honourable Member refers to volunteer their services, and come without any payment, I suppose?—They come without pay.

2413. You stated in answer to the honourable Chairman, that you are President of the Northumberland Miners Association; I suppose that you come to give evidence before this Committee at any rate with the sanction of the committee of that association?—Yes.

2414. We may take it that you give the general opinion of the miners, not only of Morpeth but of Northumberland, as to the desirability of extending the hours of polling?—That is so; it is the desire of the miners of the whole of the county of Northumberland.

2415. You have had some experience, and have taken considerable interest in public movements in the borough of Morpeth?—Yes.

2416. And you have lived in that borough for a great number of years?—Yes, I was born just upon the borders of it.

2417. You are a member of the school board, I believe?—Yes.

2418. You generally confirm the evidence that has been given by Mr. Glassey as to the desirability of extending the hours of polling?—Yes.

2419. Is



*Chairman.*

2419. Is there any other matter upon which you wish to make any observations to the Committee?—You spoke about increasing the hours of polling in the morning in order to enable the men to record their votes, say at seven o'clock; I think it would be a very objectionable thing to do to extend the hours in the morning. The hard nature of the miners' work necessitates their taking as much rest as possible; and to call them up earlier than about seven o'clock would really render them very inefficient for their work; the back-shift man is generally very tired, and requires as much rest as possible.

2420. Do you mean to say that a Parliamentary election occurring once in four or five years, it would be a hardship for a man who gets out of the pit by four or five o'clock in the evening before, to get up at six o'clock the next morning to record his vote?—It could be done; but I think that it would be very desirable to have it at the latter end of the day.

2421. Seeing that the shifts go down at nine o'clock, it occurred to me that if the grievance

*Chairman—continued.*

could be met in that way, supposing that the Committee were of opinion that it could be done, that would meet the difficulty; I understand you to say that you think it would not?—I think it would not.

*Mr. Burt.*

2422. As regards others than miners in the borough of Morpeth, you have a pretty general knowledge, I daresay, of the other classes of working men; I suppose the extension of the hours in the morning would not at all obviate the difficulty under which they labour?—We have a great many masons, bricklayers, and joiners in Morpeth, who work outside the town already, and they all go to work at five o'clock, or earlier, according to the distance that they have to travel.

2423. So far as the miners are concerned, to make this suggestion at all practicable, it would be necessary to have a polling place at every colliery, would it not?—It would, in my judgment.

*Mr. Bryson.*

27 June  
1878.



*Tuesday, 16th July 1878.*

MEMBERS PRESENT:

Mr. Burt.  
Dr. Cameron.  
Mr. Cotes.  
Sir William Cuninghame.  
Mr. Halsey.

Mr. Isaac.  
Mr. Mills.  
Sir Matthew White Ridley.  
Mr. Henry Samuelson.  
Mr. Tennant.

SIR MATTHEW WHITE RIDLEY, BART., IN THE CHAIR.

Mr. JAMES SPEIGHT, called in; and Examined.

Mr. Speight.

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Chairman.

2424. You are sent here, I think, on behalf of the Manchester and Salford Trades' Council?—Yes.

2425. That was in consequence of their having seen or heard something of some evidence which was given here by Sir Joseph Heron with respect to the extension of the hours of polling at Manchester?—Yes.

2426. Can you give us an idea of the size of your trades' council; what are your number of members?—They number from 10,000 to 12,000, representing 34 different trades in Manchester.

2427. May I take it that you represent the principal trades in Manchester?—Yes.

2428. Has this question of the extension of hours of polling in Parliamentary and municipal elections been brought before you?—Yes. We have had two meetings upon the subject, an executive, and a general meeting.

2429. Have those meetings been held lately in consequence of Sir Joseph Heron's evidence?—Yes, last week.

2430. Previous to that, have you ever had this question brought before your notice respecting the extension of hours?—It has been much talked of for some time in the council.

2431. Previous to this Committee being appointed, and to the recent extension of the hours in the metropolis, had this question assumed the form of a grievance at all in Manchester, in your opinion?—It was not brought so much to the front until the evidence of Sir Joseph Heron was given last week; nevertheless there have been discussions upon it at various times, and in fact resolutions on two separate occasions have been passed that something ought to be done to get an extension of the hours; this was three or six months ago.

2432. How long have you been connected with the trades' council which you now represent?—Ever since its formation; I was one of its founders.

2433. Have you yourself had experience of Parliamentary and municipal elections; have you taken an active part in them?—I believe I have taken part on some side or other in municipal and Parliamentary elections for the last 10 years in Manchester.

2434. Since the passing of the Reform Act

Chairman—continued.

have you an intimate knowledge of the procedure in Parliamentary elections?—Yes.

2435. Looking to those elections, is it within your experience and knowledge that any considerable number of voters have been prevented from voting by the present hours?—I have frequently seen it so; I could cite instances which occurred at the election of 1868; the first election after the extension of the franchise which was contested by some five candidates, if I mistake not, in Manchester; that was in November 1868.

2436. At all events it was a keenly-contested election?—Yes.

2437. Could you give us the number that polled upon that occasion?—I should think some 40,000 odd would poll at that election; some 42,000, I should think.

2438. We have had evidence, at all events, with respect to the election which took place in 1874 and 1876, and those figures are pretty nearly identical with what you mention; that is to say, we have heard that in 1874 there were in round numbers 60,000 voters on the list, and nearly 40,000 voted; and in 1876 in the bye election on Mr. Callender's death, out of 62,000 voters, 42,000 polled; looking at these numbers, is it your opinion that if the hours had been extended a larger number would have polled?—I am most certainly of opinion, if the hours had been extended, that out of the 18,000 who were on the register who did not record their votes at the election, considerably more than one-half of them would have come to the poll.

2439. You think that of the number amounting to nearly 20,000 who did not vote, one half, or 10,000 of those votes, might have been given?—I feel confident, in my mind, that there would.

2440. To what trade do you belong?—I belong to the wire drawers.

2441. Have you actually experienced any inconvenience yourself in recording your vote?—I have been in that happy position that I have always endeavoured to get a day's holiday on those occasions, but I cannot say the same for the rest of my shopmates.

2442. Is it at all the general custom in Manchester to take holidays at election times?—No.

2443. But

*Chairman—continued.*

2443. But you have been able to take holidays; is it because you wish to be able to assist your friends that you generally devote yourself to the contest?—I believe so; there is an understanding of that kind; in fact, I have devoted my days upon elections now for over 10 years.

2444. I believe that the constituency of Manchester is not a very scattered constituency?—It is very scattered.

2445. We were rather led to infer that compared with some other large towns the population is rather crowded together, but you say it is scattered?—Very much so; we have a class of building trades in Manchester whose occupation compels them (I may say safely, from 8,000 to 10,000) to travel two or three miles to their work morning and night.

2446. I suppose your contention would be similar to that which we have already heard from several witnesses, that these men have to leave their homes at an hour too early for them to record their votes at home, and that they return home too late?—Yes.

2447. And that being such a distance from their homes they could not vote during the dinner hour?—It is quite impossible.

2448. In those trades, I suppose the men do not return home to their dinner, but they take their dinner with them?—Yes, they take their meals with them.

2449. And in the hour which is allowed for dinner it would be impossible for them to get home to vote?—It would be impossible for them to come within the prescribed hour.

2450. Have you considered what amount of extension would meet your case?—Having every facility of getting at the opinion of many of the members of the council whom I represent, from my close connection with them, I think that the opinion of the majority is that the hours of extension should be until eight o'clock at night.

2451. And you think that if that was done a very considerable number more would go to the poll?—I believe so.

2452. Have you considered any other means of meeting the difficulty; for instance, have you considered the extension of the number of the polling places?—That has been discussed, but we cannot see that any extension of the polling places would meet such cases as the building trades and other classes of artisans that go away by rail or otherwise, and who do not return uptil night; their avocation demands their going at half-past five or six in the morning to most trades, and the same hours they return at night, so that no extra number of polling booths would meet the grievance of those particular trades.

2453. Have you looked at this question also from the opposite point of view; have you considered the difficulty of carrying on the poll in the dark hours, for instance?—I believe that there would be but very little difficulty in that; of course my experience in polling is that in each compartment in a booth it is customary to have one clerk and one returning officer, and a voluntary representative for each candidate, whose duty it is to watch closely everything in connection with the poll; that is to say, the ballot-box, &c., right through to its handing over at the central office or the town-hall, as the case is in Manchester for the examination of the votes, and I believe myself that there would be no extra difficulty whatever, or no further danger.

O.109.

*Chairman—continued.*

attached to it, but rather if it were understood that the declaration of the poll should not be made until the noon following, it would have a beneficial effect; it is very lively to my recollection the scenes that occurred at the election of 1868, when the streets were crowded until after midnight waiting for the declaration of the poll, which would be obviated, in my opinion, if there were an understanding that the declaration of the poll should not take place until what is really now considered the official hour of 12 at noon the following day, but people would go peaceably home at the close of the poll.

2454. Have you considered also the danger that there might be of increasing personation, or rather the difficulty of detecting personation of voters, or is that a difficulty which does not arise in Manchester?—I do not see that any difficulty would arise more in detecting personation by the voting being open till eight o'clock than there is already; take the municipal elections, for instance; I often find either from darkness of the month or from the colds of the month, that the gas is invariably lighted nearly the whole of the day, or the best part of the day, in the booths in the month of November; and, of course, as we have no rule for general elections, an election is just as liable to be in the winter months as in the summer months.

2455. We have been told that a result of the extension of the hours of polling might often be to create a great rush of voters towards the later hours of the polling, and not only that, but to cause the collection of large crowds of people, and that they would perhaps collect for the purpose of intimidation, and might exercise a considerable amount of influence upon timid voters, and altogether increase the chance of disorder; what do you say to that?—I believe that the crowds could not be more than they are from the hours of twelve to two already in the middle of the day; but there are, I believe, more votes polled during those two hours than in the other six.

2456. But the contention is that after the working hours the men have got nothing particular to do, and after having recorded their own votes, there would be a great crowd about the polling places, and it is very possible that intimidation might prevail; whereas at present, such men come during the dinner hour, and are very anxious to record their votes during the hours between twelve and two, and go away as soon as they have recorded their vote; there would be a certain number of what are commonly called loafers about the polling places, but in the evening, if the hours were extended, there would be very considerable crowds collected who might decidedly influence an election, what do you say to that?—I believe that there would be no greater danger by the extension of the hours of polling to eight, than there is now when the poll closes at four; for the crush cannot possibly be more than it is now with the present hours between twelve and two, when my experience has taught me that the streets are almost impassable. And another thing that is not liked by any fair dealing voter, is the being fetched in a vehicle, which is against all order.

2457. Do I gather that you think that the extension of the hours of polling might prevent the use of vehicles?—Yes; it would have a great tendency so to do, I believe.

2458. Is it not within your knowledge that a very

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Mr. Speight.

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1878.

Chairman—continued.

very large number of voters will not vote at all unless they are brought to the poll?—It is within my knowledge that a very large number of voters, because they have to be fetched in a vehicle, will not vote at all, who cannot walk the distance in the prescribed hour, and who would only be too glad to take advantage of an extra hour to walk to the polling booth.

2459. Is there or is there not a considerable class of voters who take the opportunity of an election to get a ride in a vehicle?—I have never found it so; I have found persons who would not come because they could not come in an independent manner.

2460. There are always a very considerable number of men, are there not, who are glad to make any excuse for not recording their votes?—I find many who complain that they are not able to record their votes, unless at a personal sacrifice to themselves.

2461. Over and above that class which always exists, to a certain extent, in every constituency within your knowledge, is there a considerable class of persons in Manchester who *bond fide* are prevented from voting?—Yes.

2462. I will ask you generally, is there any point upon which you wish to give evidence to the Committee?—I remember well at the election for municipal honours that took place in Manchester in 1871, a person named Whalley was standing for a ward named New Cross, and during the hours of half-past twelve and half-past one, there were not more than from 40 to 50 who came in from one shop to record their votes in favour of this one candidate, Mr. Whalley. Owing to the crowds that were in the booth, the booth being in Mill-street, Manchester, there were close upon 20 of those men who had to go back again, card in hand, and who could not record their vote in the hour allowed them. The chief of them came from Sharpe's Works, right at the other end of the town, but they resided in New Cross Ward.

2463. What are the hours of the school board elections in Manchester?—We have had school board elections at night to the extent of up to eight o'clock. I could not speak so much about the school board elections, as I took no part in them.

2464. You are aware that the returning officer has a discretion with regard to the school board elections?—Yes, I believe so; but I do not know anything about them.

2465. Is there any other point which you wish to put before the Committee?—I remember very well, during the election of 1868, that there were five candidates contested, Bazley, Bright, Birley, Hoare, and Jones. At the four polling stations of Mill-street, Newton Heath, and Chorlton-upon-Medlock, Hulme, which I went to and from many times during the day, at four o'clock there were upwards of 100, I should think, from what I was told by those working along with me and what I saw myself, who were returned just after the stroke of four o'clock; they had come to record their votes, and they had to go away again from those three stations without having done so.

2466. Can you tell us why they were prevented from recording their votes?—They were too late.

2467. Why did not they come earlier?—The complaints were that they could not get there earlier from the very nature of their work.

Chairman—continued.

2468. You see there are very few cases in which work is left off as early as four o'clock or three o'clock, and the argument for the extension to eight o'clock is that they are at work very often from five till six, and you must therefore have the poll open to eight o'clock; is there any considerable number of working men in Manchester who find it possible to vote in the afternoon between three and four o'clock?—There are workmen in Manchester who work by the piece, and some piece hands have done even as early as three in the afternoon, some at four, some at half-past, and some at five, according to the vocation or branch of the business that they belong to; I myself have often done my work from half-past four to five, and with a little push often enough I may get done by four o'clock, but those are only special cases that can be embraced by people who are working piece by making an extra effort to get away.

2469. You say that upwards of 100 people were turned back at four o'clock in consequence of the poll closing at that hour?—I estimate that there could not be less than 100 at those three stations alone that were returned, and who could not poll.

2470. Would you say that those were all working men or manual labourers?—Yes, they were all working men, certainly.

2471. Do not you think that if the poll was open till eight o'clock there would still be a large number who would put off voting till the last moment?—I think there would be as great a tendency for that to be the case still, but the extra two-and-a-half hours, from half-past five to eight, would, I think, be ample time to record all the surplus votes, which they really cannot do in the prescribed hour at noon or breakfast-time, which is the only chance that they have of voting either in the hour from eight to half-past, or from half-past eight to nine, or from twelve to one, or from 12.30 to 1.30, or from one to two.

Mr. Burt.

2472. It has been represented that so far as Manchester is concerned, there is no difficulty at all in workmen recording their votes, because the employers are always willing to allow them time to come to record their votes; is that the case according to your experience?—There are a few who will allow this, but they are greatly in the minority; I should think that where there is one employer in Manchester who gives that facility for his men to vote, there are not less than half-a-dozen who decline to allow the men to vote, unless they can do so in the dinner-hour, which is their own time, or any other fitting time between commencing work and finishing it, and any liberties taken very often leads to unpleasantness the day after; I have proved that at our own shop often. I have dotted down something, although I do not know whether you will receive it as evidence or not; but it is nevertheless a fact. In the case of myself asking the manager of Messrs. Richard Johnson and Nephew's works (that is where I work) for leave of absence to attend this inquiry, the manager expressed himself strongly that some alteration ought to be made to enable voters, who had long distances to go to their various polling-stations, to record their votes after they had finished their day's work; as past experience had taught him that such men as could not go to and from the polling-

Mr. Burt—continued.

polling-booths in the prescribed hour allowed for dinner rarely found their way back to the shop again that day, which had been the source of much unpleasantness between himself and the workmen under his charge at past elections. My own experience, I may say, more than bears out that statement in more than one instance.

2473. I did not understand that that was so in your own case?—No, that did not apply to myself. As I have previously stated I have been in that happy position to be able to get an entire day's holiday for myself, with the understanding that I took part in the elections.

2474. Have you known any cases of men being dismissed for coming away from their work to vote without leave?—There was a case cited at a council meeting last week by a man who cited the case, and gave us the names of men in the place where he worked in Ordsall-lane (I believe he was a nut and bolt maker by trade, but he withheld the names through being afraid of losing his own situation, I suppose), who were discharged for coming to Mill-street to vote, and for being half-an-hour late. He stated this as a fact.

2475. I suppose, without at all imputing blame or fault-finding in any way to the employers, that they could not, as a matter of fact, without considerable inconvenience, allow their men to come, if anybody asked leave to come, to record their votes, because one man's labour depends so much upon another, that they could not, without very great inconvenience, allow the men to come away?—I believe the inconvenience is synonymous with the workman and the employer, it is a sacrifice in both ways, inasmuch as the machinery is often kept going, and no hands turning anything out of it; that has been the case at our place on many occasions.

2476. And that could not be done without loss to both the employer and the employed?—It could not possibly be done without standing the engine, which is a loss, and if it is running and nothing being turned off, there is a loss still.

2477. I suppose we may take it for granted that an employer would be likely to be influenced just as his workman would be by his own political opinions; that is to say, if he felt that the man was going to vote on the same side as he approved of he would be more likely to give him liberty to give his vote than he would if he were going to vote on the opposite side?—I have no doubt that there are individual cases of that description in all shades of political opinions, but the extension that we pray for we are of opinion would remedy the same, as a man would vote more independently in what really would be his own independent time.

2478. You think that, in fact, it is unfair to ask a man to have to make a sacrifice and involve other people in difficulties for the sake of recording his vote at an election, and that he ought to have facilities afforded him?—Yes, that is so; I believe that the franchise is not so free and independent as it is understood to be, unless there are more facilities for this particular class of people to vote.

Mr. Mills.

2479. Has your attention been called to the evidence of Sir Joseph Heron?—Yes.

2480. Perhaps you saw that he had given some evidence about conveyances, and the effect 0.109.

Mr. Mills—continued.

of the use of conveyances; he says, in answer to Question 1905, "Those who manage these elections constantly tell you that the only way in which they can get votes very often is by promising a ride in a cab as a sort of bribe;" you do not agree with that, I understand?—I have canvassed some hundreds, and, I may say, some thousands of voters in my time, and where I have found a single case of that sort I have found the case of half a dozen men that have said, "If I cannot walk and record my vote I will not go at all."

2481. In your experience in electioneering have you found instances of difficulty in getting people up to vote in consequence of not having the means of conveyance?—I have found that the case with aged people who have not been fit to go any distance to the poll.

2482. But not with able-bodied people?—Not so much as of those who really have refused to go from principle.

2483. But have there not been instances of people, in your experience, who do ask to be taken up?—I believe there are isolated cases of that description.

2484. But those are quite exceptional?—Quite exceptional cases.

2485. As a matter of fact, in the Manchester elections, are there conveyances provided by both parties?—I believe that it is voluntary on the part of those who do so.

2486. But, as a matter of fact, is it the practice by somebody, I do not say by the candidates, to have cabs and conveyances on both sides to take the people up to the poll?—My experience is this, that those who do use vehicles do it of their own good-will; they work for the people that they fancy, and they will give their services and their conveyances to assist.

2487. As a matter of fact, at the elections that you have taken part in, there have been a large number of conveyances employed by somebody for the purpose of taking voters to the poll?—I know of some; but there have been such as a butcher, who may lend his cart, if he thinks proper, and often enough he will work his own cart.

2488. No matter who does it, but as a matter of fact, somehow or other, are there or are there not a large number of conveyances plying to and from the polling booths, to take people up?—Yes.

2489. And that is the case on both sides?—Yes.

2490. You say, I think, that you on all occasions have been able to record your vote at any election?—Yes; that is since I have been allowed the franchise.

2491. Has it been at a personal sacrifice of money on your part, that is to say, of time, which means money?—Yes, I have made a point of losing a day's work, and unless I could work it up in some other way, I sacrifice the day.

2492. Then, I suppose, that other persons who take the same zealous interest in politics, could do the same thing, could they not?—If they could get the same privileges.

2493. In what way have you exceptional privileges?—I cannot really say, unless it is that I am pretty attentive, and lose but little time on any other occasions.

2494. Then, being pretty attentive, and losing very little time on any other occasions, and having

Mr. Speight.

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*Mr. Speight.*16 July  
1878.*Mr. Mills—continued.*

having a high reputation in that respect with those who employ you, you have their permission to go to vote, is that so?—Yes, I believe it has had a tendency towards that.

2495. Would it be the case that those who, being zealous in politics, and wishing to vote, and also being attentive to their work, and maintaining a good character like yours, would be likely also to get such permissions as you have got?—I do not see that the firm for whom I work could possibly spare the whole of their hands.

2496. Could the other firms spare a considerable number of their hands if they were inclined to do so?—I cannot speak for other firms, and I cannot speak generally for the one that I work for, but I should think in reality that it would be very inconvenient; in fact, it would be at a sacrifice to do such a thing.

2497. Do you think, so far as your observation goes, that there would be a reluctance among employers in Manchester to give facilities, such as those you mentioned having been given to you, to vote in the cases of those who were well conducted and men of good character?—I believe that the reluctance of employers to allow men to break extensive time to vote, in the case of those that have to go long distances to the poll, is really a necessity on their part in many cases. It would be an inconvenience, and be a loss to allow them to do so.

2498. I suppose that that differs in different trade?—Yes, we may speak generally upon that point, I think.

*Mr. Mills—continued.*

2499. You think that the loss which would be occasioned, taking the trades generally, would be so serious as to prevent employers from giving those facilities?—I believe so.

2500. I suppose in your electioneering experience, you have considered the question of the other evils which it is said would arise from extending the hours, so that at certain seasons of the year the voting would be carried on after daylight; or have you yourself at all considered that question?—The latest experience that I had in these matters was the election which I think I have alluded to previously, when the streets were crowded, even with stopping the poll at four o'clock. The streets were crowded with people waiting about until after midnight to hear the declaration of the poll given in the town. I am of opinion that if it were understood that the poll were kept open till eight o'clock, and there was an understanding that no declaration should be made until noon the following day, that would tend to the general good, the streets would be kept clear, and there would not be that rough rabble knocking about that there is under the present circumstances.

2501. You know, perhaps, that according to the evidence of Sir Joseph Heron, nearly all the municipal corporations which he spoke of as affiliated together for certain purposes, numbering about 140, were with scarcely more than one exception unanimous against the extension of the hours of polling?—I saw the statement that he made.

Mr. PETER BALL, called in; and Examined.

*Mr. Ball.**Chairman.*

2502. I THINK you are the Secretary of the Manchester Working Men's Conservative Association?—Yes.

2503. That is a political organisation, I presume?—It is a political organisation.

2504. And have you, as an association, considered this question which is now before the Committee, of the extension of the hours of polling at Parliamentary and municipal elections?—Yes. On the appearance of Sir Joseph Heron's evidence in the Manchester papers, we had an executive meeting to consider the matter, and subsequently, we were just having a picnic at Tatton Park, to which we took about 2,000 people, and the subject, notwithstanding that it was a pleasure out, was brought on then, and there seemed to be a completely unanimous feeling, so far as our body was concerned, that we were right in having brought forward the matter.

2505. Your executive passed a resolution, I think, to the effect that you thought that the hours of polling ought to be extended to eight in the evening?—Yes.

2506. That was the hour which you fixed on?—Yes. I think you have got some information which I was directed to send you, which really is an embodiment of the resolution which was passed. I may say that subsequently there appeared two letters, one from one side, in the "Examiner" and "Times," which is the Liberal paper in Manchester, by somebody that we knew nothing at all about, and on the other, in the "Manchester Courier," the Conservative

*Chairman—continued.*

paper, there appeared also a letter. Of course I knew who was the author of that; it was sent by our chairman, Mr. Kenworthy, but they were both done spontaneously, and they seemed to be a sort of answer to Sir Joseph Heron, coming from both political parties.

2507. You are representing, at all events, the Manchester Working Men's Conservative Association, and speaking for them as an unanimous body, say that they desire an extension of the hours of polling?—Yes.

2508. Have you yourself taken an active part in the elections?—Yes, a very active part indeed. I was many years chairman of the St. Michael's Ward Conservative Club, and conducted the whole of the municipal elections in that ward, and took a very large share both in the central committee and in the ward committees; ever since, in fact, we had an organisation 10 years ago, will be the time that we have been what we may consider a complete organisation.

2509. You have heard, I think, the evidence which Mr. Speight has given to the Committee; do you agree generally with what he has said?—Generally, I do, but there was something which he said about conveyances which I did not quite understand. I think that they could not get to the poll without them as the law now stands, and they are very largely used. I would say that I think that the people could get to the poll as they do now, and in the numbers they do now, without conveyances, if the hours were extended. I may mention what is done in the largest ward in Manchester. I may say it is a constituency in itself,

Chairman—continued.

itself, quite as large as Preston. The numbers that poll in the municipal contests are as great as at Oldham or thereabouts, and if we did not send big busses to the Lancashire and Yorkshire Railway (I do not mean that they are confined to one political party or the other) and to all the principal workshops, the dinner hour would be much slacker than it is now, both in St. Michaels and New Cross, which are adjoining wards; the Oldham-road divides them, and they are the two largest wards in Manchester.

2510. Do I understand your inference from that to be that if the hours were extended to eight o'clock there would not be the same occasion to use vehicles?—I think it would greatly diminish their use.

2511. If I understand your argument, it is this, that the hour in which they can come to the poll, being also the dinner hour, it is necessary to convey the men in vehicles because there is no time for them to walk?—That is exactly so.

2512. But if the poll was open till eight o'clock in the evening the men would have leisure to walk?—Yes, that is exactly what I mean to say.

2513. And would they walk?—Yes, I believe they would. I believe they have no pride, as a rule, in being driven in a cab. I think the only pride is in the demonstration on the part of both sides to show something. Men are sometimes conveyed when they are not actually going down to vote in order to give the impression that a number of people are going to the poll even when they are not voting, but merely driven around; that is very often the case.

2514. And probably a still more stringent law prohibiting the use of vehicles would meet with your approbation?—It would.

2515. Mr. Speight told us that he thought that as large a number as 10,000 more voters would have voted at the two last elections if the hours had been extended; do you think that is the case?—I think it is approximately so; of course it is a matter of guess and experience to guide one; I think that in a well-organised election there ought to be something like 10 or 12 per cent. at the outside who will not vote, for many reasons, removals in some instances, death in others, and casualties; and consequently in the last election, which was very severely contested, when there was no lack of spirit, no lack of vehicles, and no lack of organisation, I think 12,000 more might well have been polled; and I have a very strong conviction that if we could only get all our voters conscientiously up to the poll it would improve to a very considerable degree the political weight of public opinion in any large town.

2516. Taking your own ward, with which you were closely connected at the last election, and in which you endeavoured to get as many of your friends to poll, I suppose, as you could, could you give us any idea of how many, within your knowledge, were prevented from voting by the hours of polling?—I do not recollect the number exactly at this moment.

2517. Could you give us a general idea of what sort of proportion did poll?—There were polled something like 10,000 out of 14,000, but that was one of the most severe contests that ever was known, and when we had a neck-and-neck race and excitement such as I had not seen in the ward before.

O.109.

Chairman—continued.

2518. You had 4,000 votes, therefore, not recorded in your ward; but what I should be glad to get from you, if you could give it to us, is some idea of what proportion of those 4,000 were *bonâ fide* prevented from voting by the poll being only open from eight to four?—I should think quite one-third of them; that is my own conviction, and I could give some instances; it is the habit of people to come to the committee room and say, "Well, if you want me to vote you must come and bring a cab for me at such an hour," and there are a lot of those memorandums made on a list, but when you come to work the election you will find that at the time when you want to bring them your cabs are employed, and so fully employed that you cannot send for the men; and the result is that a mass of voters will afterwards come and kick up a row because we did not bring them to the poll; that is really practically what is coming before you constantly in these elections.

2519. Still that does not altogether explain the absence of so many voters in this ward, which you say is due to the hours, because, of course, even if the hours were extended, that same cause which you have mentioned to the Committee would still operate to some extent, though not, perhaps, to such a large extent; the real excuse might not be that one, but such an excuse might be given?—It is on account of the distance; a Hulme man may be at work in the opposite direction, say, or Pendleton way, and I have a recollection, very distinct in my mind, that on the last occasion a particular friend of mine, a small-ware weaver working out at Pendleton, who wanted to come down to the poll, but no cab arrived at the time when it should have done, and several other people were ranged together in the same neighbourhood, in order that they might be accommodated out Salford way, but the cab did not come, and the result was that the man walked, and he was discharged from his employ, and was out of work for something like three or four months. He would come away to the poll, his political feeling was so strong, and that was the result; and it is not an isolated case. I am afraid it is common enough. I may say that there are some members of our party that are not in favour of an extension of the polling hours. In coming down I have met with the secretary of the Manchester Association, who seems to have very great doubt about it; but then the reason he has a doubt is the reason of his own side being somewhat disadvantaged, a nervous fear to get the poll over as soon as possible for political reasons; but I think we are superior to that as a rule. We do not want, in order to carry the election, to keep numbers away from voting simply because we think that in our special constituency it would serve our party.

2520. Have you considered any objection to the extension of the hours of polling arising, for instance, from the difficulty of the maintenance of order during the darkness?—Yes, I think that Sir Joseph Heron, so far as my experience goes, has greatly exaggerated the tendency of the working men to be excessively riotous, and so forth, at times like these. The class that make the rows, and that go about doing the shouting, are a class that are away all day from their work, the class that are not regular workmen employed at respectable places, who have a conscience about doing their work, and who are afraid of losing

Mr. Ball.

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Mr. Ball.

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Chairman—continued.

losing time; they are not the class of men at all that would be set loose at those other hours: and as to the question of its being in the dark, and so forth, there is nothing in that, it appears to me, except a little expense in lighting, and I rather think, in the long run, it would be found that that expense would cause a greater number of polling places to be spread up and down the constituency for the sake of accommodation, and thus, I think, it would be a preventive of riot and disturbance, and disorder.

2521. You do not think there is anything to be feared from a great number of voters after the hours of work crowding about the polling places and exercising intimidation to any extent upon the voters?—No, I do not; the excitements that do take place are generally either during the anticipation of the declaration at the close of the poll, or after the excitement when the club or something else gets to know that their candidate is returned, and then they go round with a band of music, perhaps, or something of that kind; it is not with the regular voters; and I may say that at the dinner hour, which is the time for working men to vote, principally, there are lots that will not go to the poll because of the crush, especially in the ward that I speak of, both that and the next ward being mixed wards; the lower part of it is the Irish quarter, and they can come up at almost any time; their class of occupation is such that the respectable artizans rarely will not, some of them, come up on that account, because of the crush at that particular time, and the rush that is made by everybody.

2522. You say that the Irish voters in the ward with which you are connected, can come up and vote at any time; how does that happen?—It is on account of their occupation. Our ward is bounded by Smithfield Market, and there are a good many hawkers, and shoemakers, and persons of that class, who constitute that part of the ward; it is pretty sharply distinguished from the other. In fact, so much is that the case; and I am not speaking to disparage the ward, because I think well of it; but so much does that impress people's minds, that it is a common saying amongst electioneering people, "Well, I hope our poll will take place on some other day than Monday; if it takes place on Monday we are sure to lose the day." That is because every half-hour a lot of idle drunken fellows come, and all the rest of the people are kept away, and we do not get our men up.

2523. Your view then would be, that with the present arrangement of the hours the disorderly class of voters, if there be a disorderly class of voters in your ward, which I do not understand you exactly to admit, but still, the least orderly class of voters in your ward, are able to put a pressure on the more respectable portion of the constituency, who are prevented from exercising the due influence which they ought to have on the election?—Yes, they are prevented. Of course, the dinner hour is a very short time for a man to go to vote. Anybody who knows anything of the working-man, will know that he does not like to invade that particular part of the dinner hour. I shall not very soon forget the indignation which was roused by reading Sir Joseph Heron's report (I do not know whether it was correctly reported or not), where he said, that the time that working-men spent in smoking their pipes would give them ample opportunity for record-

Chairman—continued.

ing their votes. They feel that any trespass upon their little privileges of the dinner hour is somewhat of an insult.

2524. You would not go as far as to say that, provided a man can find time during the dinner hour, it is any hardship to expect him to give his vote once in three or four years in an election during that hour?—It is no hardship at all; I am rather expressing the feeling as to the question, and the ideas connected with it.

2525. Still you admit it is desirable that the hours of polling should be as short as is consistent with giving an opportunity for every voter to vote?—Yes. There was a great point raised at one meeting as to whether an hour and a half or two hours more ought to be given, but there seemed to be at last a sort of decision that eight o'clock was a desirable hour. The warehouse class are sometimes detained, but that would give them ample opportunities of voting. It is rather an excess on the side of abundance than anything else. We wish that to be the limit so far as it can be put.

2526. In this matter, considering that the extension of the hours of course means a considerable increase of expense, is it absolutely necessary in Manchester to extend it till eight o'clock?—It is desirable. I do not say it is absolutely necessary. If we are to get all up to the poll, if we are to get all to exercise their opinions by voting, it is necessary, I think. I think that is a desirable point. What is the use of extending the franchise at all if you cannot get the people to come to the poll? You want the fullest possible expression of public opinion, and the fullest opportunity of expressing it consistent with order.

2527. Still you admit that the hours of polling are not the only cause which prevents voters from voting?—Yes. I have said already that there were a proportion who would be prevented, which I take to be something like 12 per cent., judging from well worked-out instances; for I noticed last time when Mr. Hibbert was returned for Oldham, I went over there that day not to work but to watch, and they polled a very much larger proportion than we do in Manchester, according to the number of the constituency, and if you ask me what is the reason I thought it was this, that the employers on all hands had given a general holiday.

2528. That is the case in many boroughs, is it not?—In some boroughs I believe it is.

2529. In Oldham it appears to be the custom?—Yes, and it appears to be successful in Oldham, but I do not think that the Manchester masters would ever come to the conclusion of giving a general holiday, or in any other very large town.

2530. Can you tell us anything about the hours of the School Board election in Manchester?—I think, at the only election that took place (we had a compromise the last time) it was polled up to six o'clock. I am not quite sure about it. I have some little doubt as to whether it was five or six o'clock; but I do not think it went beyond.

2531. Have you considered further, supposing the hours were extended in the evening, whether it would be desirable to have the polling open the whole of the time from eight to eight, or whether the difficulty might be met by having the poll open during the day for a period of eight hours, whether consecutive or not?—I think that less time than 12 hours is enough, if it is the right time.



*Chairman—continued.*

time. I quite believe that, but there are times when there is no push at all, when it is difficult to find voters even during the present hours.

2532. Supposing that the question of the extension of the hours of polling were left to the local authority, what would you say to that; would you have the means of making known to the local authority what the wishes of the people were in Manchester?—We should very soon decide the point, no doubt, for their guidance if they submit it to us.

2533. You are aware that Sir Joseph Heron has given very strong evidence here to the effect that in his opinion, and apparently in the opinion of the majority of the town council, the present hours of polling are sufficient, and that in a very considerable number of boroughs throughout England the mayors, at all events, and town clerks concur in that opinion; obviously from the evidence which you have given different localities have wants to be met in different ways, and what I want to ask you is this: supposing it were left to the authorities of Manchester to fix the hours of polling in such a way as to meet the convenience of all the voters, do you think that would meet the difficulty?—It would meet it so far as Manchester was concerned; but I think that what would happen precisely in the long run would be this, that one town would get one hour, and another town would get another, until at last the Legislature would be asked to step in to define it, to relieve the individual mayors and corporations of the responsibility.

2534. What is the objection to one town closing the poll at one time, and another at another?—There is a little jealous feeling, just as there was about the licensing matter.

2535. Surely if it is the duty of the local authority to see that the hours of polling are such that all the different classes in the locality can fairly record their votes, there is nothing invidious in that?—There is nothing invidious in it. A rational man would see nothing perhaps in it; but at the same time one cannot help foreseeing that agitators, and persons of that class, would spring up, who would say, "I do not see why Oldham should have one hour, and why Ashton should have another hour, and why Manchester should have another;" you could not prevent people doing that, until for quietness and peace you would find it necessary to fix the same hour. I believe there is a difference between counties and boroughs in the hours of election.

2536. The hours are different in the counties now from boroughs, inasmuch as they extend to five o'clock in the counties?—Yes; it is not properly a question before this Committee, but the only way in which I think it would be satisfactory would be by having one uniform hour.

2537. You, perhaps, have not considered the cases of different boroughs with different populations, or have you an opinion whether it would be possible to fix a limit, or would you propose to extend the hours of polling everywhere?—Yes, everywhere; I should think, for example, taking Manchester, and the neighbouring boroughs, the only ones that I know most about, where general holidays are the rule, I do not think employers like to give those general holidays, and I do not think they would give those general holidays if there were other facilities offered to the voters; I think they would insist more upon their men remaining at their work

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*Chairman—continued.*

during the working hours. I know that there has been a great difficulty sometimes to get men to come to the poll, because the employer has said, Well, no, I cannot let those men off; it is no use, I will not let them off; they will never come back; and so on. There would be reasonable presumption that the master would say, Well, now that you have got an hour to go, be content with what is reasonable.

2538. There would not be any feeling on the part of the men at an election time which does not, after all, come very often, that it is a fair and proper occasion for a holiday?—There always would be that feeling on the part of a number of persons who are of an inflammable nature; you cannot provide exactly for all of them. It is rather the number that seem to be kept out that we think most about; if they are kept out, of course we presume that they are so by the hours.

2539. Is there any other point on which you would like to give any information to the Committee?—Nothing strikes me at present.

*Mr. Halsey.*

2540. When you say that you think that the hours should be the same in all boroughs, of course you speak from your acquaintance with such large places as Manchester; but in the case of small towns, especially of the South of England, where there are a great many comparatively small agricultural boroughs, and so on, where this want is not felt, and where they manage now pretty well on the whole with the present hours, has it ever struck you that in a case like that, it would be putting everybody to great inconvenience without any practical advantage through keeping the poll open so long?—I see the force of that now, as it is put to me in that way, and probably I may be mistaken in supposing that there would be those jealousies arising and those excitements got up.

2541. You must see that what is good for Manchester, and for the large manufacturing towns may not be good for constituencies of a different class?—I quite see that an agricultural borough or a limited borough, where they know every voter, they can get them all up without any very serious inconvenience. I quite see the force of that, and it would be only fair to make a difference. Then I think if somebody took upon themselves the responsibility of that who had the power in their own hands, they might try to upset it.

2542. You would admit, I suppose, that it is not desirable to extend the hours for the sake of extending them; all you want is sufficient hours to enable all the people to give their votes?—Just so.

2543. You do not want to have the poll open three or four hours more, if there is no necessity for it?—Exactly so.

*Dr. Cameron.*

2544. I understand you to say that if the authorities in Manchester were entrusted with the power of extending the hours, the constituency would very soon make them do as they desired under the circumstances?—No, I do not think that; I am thinking of uniformity. I believe that if we got an extension of hours by the authorities that would at once set the matter at rest, so far as Manchester is concerned.

2545. Do

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*Mr. Ball.*16 July  
1878.*Dr. Cameron—continued.*

2545. Do you think that if the authorities in Manchester had the power of extending the hours, and the constituency wished an extension of the hours, they would very soon bring the action of the corporation into accord with their feelings?—Certainly; I quite believe that.

*Mr. Cotes.*

2546. Have the public ever tested the question at an election?—Yes; there has been a feeling even that the Corporation of Manchester have exceeded their power in coming with a statement here that they represent Manchester; I can assure you that we do not believe a bit of it.

*Dr. Cameron.*

2547. I suppose the question has never come up before them?—Never, except in the council in some way or other, what is called a political or Parliamentary committee; the chairman reports to the general council, and if there is no objection, it is taken for granted, and so forth. That is not what we consider to be the public feeling of Manchester.

2548. But the extension of the hours of polling has never been made anything like a test question at municipal elections?—Never.

2549. In fact, it has never been referred to in the election of candidates?—It is sometimes referred to at the time of the election, but like every other excitement we forget it till somebody brings it forward.

2550. I spoke of municipal elections, has it ever been mentioned at municipal elections?—Yes, by the workers at the elections many and many a time, both in speeches and in conversation, but it has not been a test question; it is quite a common observation to hear two or three people grumble, and say, "Well, we will get the hours extended," but they forget all about it when the excitement is over, and of course it dies and gets forgotten, till somebody of importance takes it up.

*Mr. Henry Samuelson.*

2551. I understood you to say that there are an important number of respectable artisans who are shut out from voting now who do not consider an election day a fit occasion for taking a holiday, and so depriving their families of the result of their day's work, but who would be able to vote without loss to themselves, or without putting themselves under an obligation to anyone if the hours of polling were extended from eight to eight?—That is what I quite believe.

2552. I think you said that you thought that less than three hours might be enough?—I do not think that the actual extension of the hours would be of so much importance as extending them at the other end, when the artisans are more at liberty.

2553. If you were to extend the hours, without keeping the poll open for 12 hours, you would have to close the poll during some portion of the day?—Or else begin it later; either the one or the other; I think you would have to begin it later.

2554. Would not that tend to throw a greatly

*Mr. Henry Samuelson—continued.*

increased pressure upon the later hours?—Not very much, I think; you would have double the pressure at noon, supposing that the hour was noon, and also pressure at night, but in the interval you would not have any very serious pressure, I think; at least, not in the quieter interval.

2555. But then you would close the poll during the quieter interval, according to your suggestion, and you would only keep it open during the present times; and that would cause, would it not, during this busy time, much greater pressure than at present exists?—But if you cut it off at the back, and put it on at the end, you have the same quantity of hours, and no interval, but always a rush, and not quietness, at the same time, as you had before; that is my impression.

2556. Do not you think it better that there should be a certain hour, when there is not a great rush, for people who are delicate, or are otherwise prevented going into a crowd, to have an opportunity of voting?—I think they would get that; it would be a tax upon the workers, and a tax upon the municipal authorities; but it is the usual course of most people now to be up very early on the morning of an election, to get all their cabs and get breakfast (a sort of clandestine operation that goes on), all that kind of thing goes on, and there is a lot of excitement before the opening of the poll, and, of course, the same thing would go on, but at a later part of the day; and I do not really think that it would make any difference to the rush, only that the rush would be more continuous.

2557. The main question of importance is to get the poll open during the hours, say from four to eight in the afternoon?—Yes, that is so.

*Mr. Isaac.*

2558. In speaking of the School Board elections at Manchester, you were under the impression, were you not, that the poll had been kept open until six o'clock?—I was under that impression.

2559. The gentleman who gave evidence before you was also under the impression that the hours had been extended; I have before me a return sent up from Manchester to a previous Committee which sat here, in which they say that they have never altered the hours from nine till four, and there is no doubt that the returning officer reported that no inconvenience has resulted from the hours fixed?—I was very uncertain about it. With regard to the School Board election, it must never be forgotten that it is one of the quietest elections in Manchester; there is not the same enthusiasm at all. I am obliged to the honourable Member for mentioning this, for I should have been very sorry to have created an impression of that sort.

*Chairman.*

2560. Is there anything further which you would like to state to the Committee?—There is nothing occurs to me now.

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A P P E N D I X.

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## Appendix, No. 1.

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PAPER handed in by Mr. *Henry Joseph Hagger*.

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AT the ANNUAL GENERAL VESTRY of the Parish of *Liverpool*, held by adjournment at the Law Association Rooms, Cook-street, on Wednesday the 30th day of April 1873, at Three o'clock in the afternoon. Appendix, No. 1.

---

Mr. Overseer WILLIAMS in the Chair.

. . . . .

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It was moved by Mr. *John Patterson*—Seconded by Lieutenant Colonel *Trimble*.

*Resolved*, THAT the parishioners of *Liverpool* in public vestry assembled, having continued the poll for eight days between the hours of Ten in the forenoon and Four o'clock in the evening, for two days between the hours of Two o'clock in the afternoon and Eight o'clock in the evening, and subsequently for two days from Three o'clock in the afternoon to Nine o'clock in the evening, for the purpose of enabling the working classes of the parishioners to record their votes, without loss of work or wages, now record the full success of the experiment of evening voting, as proved by the numbers who have voted within the respective hours, with marked order and decorum throughout; and they instruct the select vestry to communicate this resolution, accompanied by full details of the figures, to the Local Government Board; and, further, to memorialise Her Majesty's Government to bring in a Bill to extend the hours of polling at Municipal and Parliamentary Elections to Nine o'clock in the evening; and to present the same by a deputation accompanied by the Members for *Liverpool*.

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## PARISH OF LIVERPOOL.

## HOURLY RETURN OF VOTING on the Appointment of CHURCHWARDENS.—Easter, 1873.

D A T E.		Polling Hours.		Voting at the following Hours, namely :—														TOTAL.									
				10 to 11.		11 to 12.		12 to 1.		1 to 2.		2 to 3.		3 to 4.		4 to 5.				5 to 6.		6 to 7.		7 to 8.		8 to 9.	
				Persons.	Votes.	Persons.	Votes.	Persons.	Votes.	Persons.	Votes.	Persons.	Votes.	Persons.	Votes.	Persons.	Votes.			Persons.	Votes.	Persons.	Votes.	Persons.	Votes.	Persons.	Votes.
Wednesday	-	16 April	10 to 4	56	191	98	304	92	359	52	177	66	213	130	414	-	-	-	-	-	-	-	-	494	1,655		
Thursday	-	17 "	10 to 4	168	473	246	679	172	459	201	512	202	497	231	581	-	-	-	-	-	-	-	-	1,230	3,201		
Friday	-	18 "	10 to 4	178	290	209	393	205	409	175	346	198	397	250	582	-	-	-	-	-	-	-	-	1,215	2,417		
Saturday	-	19 "	10 to 4	114	215	141	329	122	287	118	285	133	212	166	218	-	-	-	-	-	-	-	-	794	1,496		
Monday	-	21 "	10 to 4	199	300	209	337	283	432	220	360	271	427	286	452	-	-	-	-	-	-	-	-	1,468	2,308		
Tuesday	-	22 "	2 to 8	-	-	-	-	-	-	-	-	252	356	264	487	147	231	199	238	256	277	309	323	1,427	1,912		
Wednesday	-	23 "	2 to 8	-	-	-	-	-	-	-	-	175	304	181	327	99	183	102	152	142	165	240	283	939	1,414		
Thursday	-	24 "	10 to 4	44	68	59	116	83	150	86	137	138	226	129	229	-	-	-	-	-	-	-	-	549	926		
Friday	-	25 "	3 to 9	-	-	-	-	-	-	-	-	-	-	224	380	108	199	127	174	193	203	188	193	1,070	1,386		
Saturday	-	26 "	10 to 4	78	127	89	163	75	126	89	138	122	163	144	164	-	-	-	-	-	-	-	-	591	871		
Monday	-	28 "	3 to 9	-	-	-	-	-	-	-	-	-	-	173	254	95	113	92	119	185	190	290	297	977	1,121		
Tuesday	-	29 "	10 to	37	45	43	76	51	90	48	71	66	80	61	79	-	-	-	-	-	-	-	-	306	441		
				874	1,709	1,094	2,394	1,093	2,312	983	1,976	1,023	2,865	2,239	4,167	449	726	520	683	776	835	1,027	1,096	372	385	11,050	19,148
Hourly Average - { Persons				109	136	136	-	136	-	122	-	162	-	186	-	113	-	130	-	194	-	256	-	186	-	163	-
Votes -				-	213	-	299	-	289	-	247	-	286	-	347	-	181	-	170	-	208	-	274	-	-	192	265
Average Voting Power of each Voter -				1.95	2.19	2.12	2.02	1.76	1.86	1.61	1.3	1.07	1.07	1.08	1.78	1.07	1.07	1.07	1.07	1.07	1.07	1.07	1.07	1.08	1.73	1.73	

PARISH OF LIVERPOOL.

HOURLY RETURN of VOTING on the Appointment of SELECT VESTRYMEN, 1874.

D A T E.		Polling Hours.	Voting during the following Hours, namely :—																TOTAL.					
			10 to 11.		11 to 12.		12 to 1.		1 to 2.		2 to 3.		3 to 4.		4 to 5.		5 to 6.				6 to 7.		7 to 8.	
			Persons.	Votes.	Persons.	Votes.	Persons.	Votes.	Persons.	Votes.	Persons.	Votes.	Persons.	Votes.	Persons.	Votes.	Persons.	Votes.	Persons.	Votes.	Persons.	Votes.	Persons.	Votes.
Wednesday	-	8 April	19	47	19	50	19	50	20	50	19	50	20	50	-	-	-	-	-	-	-	-	115	297
Thursday	-	9 "	41	74	40	99	40	106	104	235	84	190	104	235	-	-	-	-	-	-	-	-	398	904
Friday	-	10 "	68*	146*	62*	147*	90	163	143	343	77	165	143	343	-	-	-	-	-	-	-	-	510	1,154
Saturday	-	11 "	85	204	85	205	78	176	89	153	78	149	89	153	-	-	-	-	-	-	-	-	480	1,004
Monday	-	12 "	94	152	95	153	121	189	172*	287*	172*	287*	172*	288	-	-	-	-	-	-	-	-	744	1,228
Tuesday	-	13 "	-	-	-	-	-	-	169	288	192	370	169	288	-	-	-	-	-	-	-	-	1,028	1,448
Wednesday	-	14 "	-	-	-	-	-	-	310	298	-	-	310	298	-	-	-	-	-	-	-	-	987	1,134
Thursday	-	15 "	-	-	-	-	-	-	100	196	-	-	100	196	-	-	-	-	-	-	-	-	763	1,054
Friday	-	16 "	-	-	-	-	-	-	124	261	-	-	124	261	-	-	-	-	-	-	-	-	791	1,427
Saturday	-	17 "	46	138	63	126	58	147	68	117	50	85	68	117	-	-	-	-	-	-	-	-	307	606
Monday	-	18 "	39*	91*	40*	92*	47	124	233	313	162	236	233	313	-	-	-	-	-	-	-	-	1,165	1,331
Tuesday	-	19 "	-	-	-	-	-	-	274	-	-	-	274	-	-	-	-	-	-	-	-	-	1,559	1,981
Wednesday	-	20 "	87	130	110	280	95	175	120	178	163	274	120	178	-	-	-	-	-	-	-	-	850	1,080
Thursday	-	21 "	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	408	783
Friday	-	22 "	60	108	66	151	-	-	149	306	-	-	149	306	-	-	-	-	-	-	-	-	860	1,334
Saturday	-	23 "	-	-	-	-	-	-	116	251	-	-	116	251	-	-	-	-	-	-	-	-	182	197
Monday	-	24 "	-	-	-	-	-	-	58	80	-	-	58	80	-	-	-	-	-	-	-	-	244	400
Tuesday	-	25 "	40	104	41*	105*	24	51	157	208	45	77	157	208	-	-	-	-	-	-	-	-	829	921
Wednesday	-	26 "	-	-	-	-	-	-	73	107	-	-	73	107	-	-	-	-	-	-	-	-	266	467
Thursday	-	27 "	36*	78*	36*	78*	45	84	73	107	47	80	73	107	-	-	-	-	-	-	-	-	740	918
Friday	-	28 "	38*	82*	38*	82*	56	108	126	226	96	194	126	226	-	-	-	-	-	-	-	-	358	703
Saturday	-	29 "	37*	83*	37*	83*	56	108	88	146	96	194	88	146	-	-	-	-	-	-	-	-	651	830
Monday	-	30 "	-	-	-	-	-	-	111	197	-	-	111	197	-	-	-	-	-	-	-	-	264	430
Tuesday	-	1 May	28*	50*	29*	51*	31	68	82	101	53	83	82	101	-	-	-	-	-	-	-	-	543	664
Wednesday	-	2 "	-	-	-	-	-	-	85	167	-	-	85	167	-	-	-	-	-	-	-	-	189	329
Thursday	-	3 "	21*	34*	21*	35*	33	55	57	96	41	82	57	96	-	-	-	-	-	-	-	-	350	481
Friday	-	4 "	28*	58*	29*	59*	-	-	36	70	-	-	36	70	-	-	-	-	-	-	-	-	138	234
Saturday	-	5 "	14*	27*	14*	28*	28	30	40	88	19	25	40	88	-	-	-	-	-	-	-	-	14,539	22,332
Monday	-	6 "	737	1,523	877	1,925	887	1,845	2,585	4,559	1,230	2,331	2,585	4,559	955	1,223	1,350	1,515	2,211	2,309	1,906	14,539	22,332	
Tuesday	-	7 "	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	90	139
Wednesday	-	8 "	46	95	51	113	59	123	107	189	82	155	107	189	70	101	112	126	184	192	173	165	90	139
Thursday	-	9 "	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Friday	-	10 "	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Saturday	-	11 "	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Monday	-	12 "	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Tuesday	-	13 "	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Wednesday	-	14 "	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Thursday	-	15 "	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Friday	-	16 "	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Saturday	-	17 "	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Monday	-	18 "	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Tuesday	-	19 "	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Wednesday	-	20 "	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Thursday	-	21 "	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Friday	-	22 "	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Saturday	-	23 "	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Monday	-	24 "	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Tuesday	-	25 "	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Wednesday	-	26 "	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Thursday	-	27 "	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Friday	-	28 "	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Saturday	-	29 "	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Monday	-	30 "	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Tuesday	-	1 May	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Wednesday	-	2 "	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Thursday	-	3 "	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Friday	-	4 "	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Saturday	-	5 "	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Monday	-	6 "	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Tuesday	-	7 "	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Wednesday	-	8 "	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Thursday	-	9 "	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Friday	-	10 "	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Saturday	-	11 "	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Monday	-	12 "	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Tuesday	-	13 "	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Wednesday	-	14 "	-	-																				



## Appendix, No. 2.

PAPER handed in by Mr. Curwood.

Appendix, No. 2.

## BOROUGH OF LEEDS.

## RETURN AS TO ELECTIONS.

	Number of Electors.	Number of Electors who Voted.	Office Expenses.	Time when Poll Declared.
Parliamentary Election, 5 February 1874 - - - -	45,997	31,789	£. s. d. 1,004 - -	1 a.m., 6 February.
Parliamentary Election, 15 August 1876 - - - -	48,313	30,446	623 5 5	9.45 p.m., 15 August.
Municipal Election, 1 November 1874 - - - -	These elections were only partially contested, and the figures, therefore, would be misleading.			In the evening of the day of polling in all cases.
Municipal Election, 1 November 1875 - - - -				
Municipal Election, 1 November 1876 - - - -				
Municipal Election, 1 November 1877 - - - -				
School Board Election, 22 November 1876 - - - -	56,194	16,015	587 12 -	10 p.m., 23 November.

## BOROUGH OF LEEDS.

## MUNICIPAL ELECTIONS—1 November 1878.

Amount of Expenses of Elections - - - - - £. 515 2. 5.

(11 Contested Wards.)

## BOROUGH OF LEEDS.

## SCHOOL BOARD ELECTION.

The Leeds School Board to Richard Gallsworthy, Esq., Mayor of Leeds.

ELECTION of SCHOOL BOARD, 22 November 1876.

## EXPENSES of RETURNING OFFICER.

Returning Officer's Fees (fixed by Circular of the Education Department, No. 105, dated 15 September 1875) - - - -	£. s. d. 168 - -
Presiding Officers and Clerks at 31 Polling Stations - - - -	151 - -
33 Counting Clerks and Expenses of Counting - - - -	88 8 7
Hire of Polling Places - - - -	42 - 6
Fitting up of Polling Places - - - -	61 8 8
Printing - - - -	110 2 6
Cab Hire - - - -	18 9 -
Sundry Disbursements - - - -	2 17 9
Postage Stamps - - - -	- 15 -
	£. 587 12 -

Correct, Capel A. Curwood,  
Town Clerk.(signed) Richard Gallsworthy, Mayor,  
Returning Officer.

**LEEDS PARLIAMENTARY ELECTION.—16th August 1876.**

The Mayor of Leeds (as Returning Officer) by Mr. *Curwood*, his Solicitor, in account with Mr. Alderman *Barran* and Mr. Councillor *Jackson*, the Candidates.

To Cash from Mr. Barran	£.	s.	d.	On receipt of Writ preparing and publishing notice of Election	£.	s.	d.
	-	-	-	Preparing and supplying nomination papers	-	-	-
Ditto - Mr. Jackson	-	-	-	Hire and necessary fitting-up of rooms or buildings for polling, or damage or expenses, by or for use of such rooms or buildings	-	-	-
	-	-	-	Hire of compartments used at the 33 polling stations	-	-	-
	-	-	-	Hire of ballot boxes	-	-	-
	-	-	-	<p><i>Note.</i>—The amount charged for all these things is as paid, viz., joiners' work, 72<i>l.</i> 6<i>s.</i>; hire of rooms, when hired, and cleaning, &amp;c. of school-rooms, 27<i>l.</i> 10<i>s.</i> 1<i>d.</i></p>			
	-	-	-	Stationery at each polling station, 33, at 10 <i>s.</i> each	-	-	-
	-	-	-	Printing and providing ballot papers, 48,000 at 2 <i>½s.</i> per 1,000	-	-	-
	-	-	-	For use of 77 stamping instruments	-	-	-
	-	-	-	For fixing and adjusting the same	-	-	-
	-	-	-	For registers supplied to polling stations	-	-	-
	-	-	-	33 presiding officers	-	-	-
	-	-	-	15 clerks at 21 <i>s.</i>	-	-	-
	-	-	-	139 clerks at 30 <i>s.</i>	-	-	-
	-	-	-	27 counting clerks	-	-	-
	-	-	-	For making Return to Clerk of Crown	-	-	-
	-	-	-	For preparation and publication of Notices (other than Notice of Election), as per Schedule	-	-	-
	-	-	-	For professional and other assistance in and about the conduct of the Election	-	-	-
	-	-	-	For services and expenses in relation to receiving and publishing accounts of Election expenses in respect of each Candidate	-	-	-
	-	-	-	For all other expenses (56 <i>l.</i> allowed by Schedule)	-	-	-
By Amount returned to Mr. Barran	£.	s.	d.				
	88	7	3½				
Ditto - Mr. Jackson	-	-	-				
	88	7	3½				
	628	5	5				

## Appendix, No. 2.

### Appendix, No. 3.

PAPERS handed in by Mr. *Marston*, 20 June 1878.

Appendix, No. 3. LETTER from the Old Society of Operative House Painters, Leeds, to Mr. *Marston*.

Dear Sir,

18, Dunston-street, Meadow-road, Leeds,  
16 June 1878.

YOUR letter to Mr. Thomas Shortland inquiring the number of house painters employed in Leeds, has been handed to me for reply, and in answer I may state the number so employed is 500 at least.

I have been further informed that you are about to give evidence before the Parliamentary Committee with reference to the lengthening of the hours of polling at elections. I may just point out to you the peculiar position of our trade in this matter, and what is true of ours refers also to the bricklayers, joiners, plasterers, slaters, &c. Something has been said about opening earlier, but men who leave home at 5.30 a.m. can't very clearly see any chance of extension at that end of the day; and with reference to polling at the dinner hour, we, who never as a rule dine at home, except on Saturdays and Sundays, on account of the distance of our work from our homes, cannot avail ourselves of that hour, though it may be done by men of some trades who work at stationary places of business.

We return home every night from jobs varying in distance up to four miles from the centre of the town, and an hour or an hour and a half's walk at night is not at all an unusual occurrence; of course in our own time. Now taking the closing time of polling as at present, four o'clock, there is from one to two hours at least to lose in walking to the booth, and at four o'clock it is of no use a man going back to his job, as he can only arrive there at the time for ceasing work. I appreciate the privilege of the franchise as well, I dare say, as most working men, but in a season trade like ours, when there is work to do, we must do it, for the time comes too surely and often when we are idle more from necessity than choice. I think by extending the hours for polling, an opportunity will be given to hundreds of industrious and intelligent men to record their votes. The loafers and idlers about town, who are far more perceptible to corrupt influences, can vote any hour of the day.

I might just state a case in point. At the last election but one in Leeds, I was working at Mr. Pope's house at the extreme end of Moortown, and I had to go, in order to secure my vote, to a place half way up Dewsbury-road. I had to lose nearly the whole half day.

Yours, &c.

(signed) *J. H. Lockwood*,  
Secretary.

Mr. Wm. Marston.

LETTER from the National Association of Operative Plasterers, Leeds,  
to Mr. *Marston*.

Dear Sir,

Leeds, 18 June 1878.

IN answer to yours of the 13th instant, I have to say that we have about 200 plasterers in Leeds; of this number 175 are members of the above society, so that I feel sure there are not more than 25 non-society men about Leeds; the plasterers' labourers number about 100, but there are only 40 in the society.

As you are about to give evidence on the extension of the hours of voting, I can assure you in our branch we suffer very much in not being able to vote unless we stay in town until nine in the morning, which means very often the day is lost altogether, or we must come from work about 2.30 or 3 o'clock if we wish to vote, and this is expensive to men with families, and they cannot afford to lose time, though they take great interest in the welfare of the town; this, of course, refers to us working at Chapel-Allerton, Rounday, Meanwood,

Meanwood, or Headingley Moortown, &c., and we have a deal of work in the building trade at present going on in the above-named districts. I could give several cases of men wishing to vote, and had to lose time to the amount of 2 s. per man to do so; one case was the first time the Ballot Act came in force for the municipal elections; a number of men were at work at Mr. G. Bucktons, Roundhay; we did not like to miss the opportunity, but we had to leave work at 2.30, and engage a wagonette to bring us to Leeds in time to vote; Robert Hay of Portland-street, James Kelly of Crispen-street, Bank, and myself, had to go all to different voting places, and other men were left at work who could not go with us because they could not lose the time to do so, having large families. A similar case occurred when at Meanwood, the time Scan and Kelly were up for the North East Ward; six of us left our work in the afternoon to vote, but the conveyance was sent from the North East Ward, and I availed myself of it; this was a large job by the brook side at Meanwood, Brookfield-terrace; in this instance we left a great number of men on the job who were deprived of voting, because the polling booths closed before the men gave up work. I could mention lots of cases like the above, and give the names of the parties, and the many times we have been deprived of voting; if I had a little more time I should have given more particulars, but will be happy to do so if you require it.

Mr. Marston.

Yours, &c.  
(signed) *Thomas Moore,*  
Secretary.

**\_\_\_\_\_**

THE following CIRCULAR was addressed to the MAYORS and PROVOSTS of various BOROUGHs :—

Sir,

I AM directed by the Select Committee on Parliamentary and Municipal Elections (Hours of Polling) to ask you whether you would be so good as to inform them, at your earliest convenience, what view you would take, as *being responsible for the maintenance of order in your borough*, of what would be the effect, within your jurisdiction, of the extension of hours of polling at Parliamentary and Municipal Elections to eight o'clock in the evening; together with such reasons for your views or other observations upon this point, which, for the information of the Committee, you may think it advisable to add.

To the Mayor or Provost of                      I am, &c.  
 (signed)        *Reginald Dickinson,*  
                          Clerk to the Committee.

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Ashton-under-Lyne		Objects to any extension, as the poll is virtually over at three o'clock, and there would be great likelihood of disturbances.
Birmingham	- -	Considers that the hours of polling might be extended without any danger of disturbances, which the police would not easily suppress. That notwithstanding the large number of polling stations in the borough many persons are still unable to vote by reason of their labour taking them to a distance from home, and they can only vote at the station to which they are allotted. To such persons the extension of the hours of polling to eight o'clock would be of great convenience, and it would also tend to prevent the overcrowding of the polling booths between one and two o'clock in the afternoon.
Blackburn	- -	Considers that the extension of the hours of polling to eight o'clock in the evening would be fraught with great danger in the maintenance of order.
Bradford	- -	Having carefully considered the subject, is of opinion that it would be dangerous, as regards the preservation of public order, to alter the present arrangements, which are found to work well.
Burnley	- -	Is against any extension, as it would promote disorder, and entail much additional work on the polling clerks.
Carmarthen	- -	Does not consider that any extension of the polling hours is necessary or advisable, as it would be difficult to maintain order.
Chester	- -	"It would tend to the purity of elections if the hours for voting were extended."

Devonport	-	-	Is of opinion that some extension is advisable, so as to allow the men in the dockyards, who work during their dinner hour, an opportunity of voting.
Durham	-	-	The hours as at present fixed are sufficient, and the Mayor could not be responsible for the maintenance of order in the city if the time were extended to 8 o'clock in the evening.
Edinburgh	-	-	The Lord Provost and magistrates are of opinion, that without danger to the peace of the city, there might be an extension of the hours of polling, but they think 8 o'clock p.m., to be <i>unnecessarily late</i> .
Exeter	-	-	An extension of the hours of polling to 8 o'clock would be very undesirable and would probably cause disturbances.
Flint	-	-	Considers that any extension of the polling hours would be very dangerous, and the cause of great disorder, and recommends that all public-houses should be closed on the days of election, as the interests of those who desire this change would then be done away with.
Halifax	-	-	"Does not consider that such extension of time would cause any public disturbance whatever."
Kidderminster	-	-	Extension of hours of polling <i>most objectionable</i> ; thinks they might almost be curtailed, and wishes for a system of voting papers to be issued and collected through the post.
Liverpool	-	-	Is of opinion that it would be unwise to extend the hours of polling so as to necessitate the taking of votes after sunset, for the following reasons:— 1. For fear of riot and disturbance in the dark. 2. Because personation would be aided by the darkness. 3. It would give the officials more work than they could properly carry out.  That the large number of polling places (26), and the fact that employers of labour facilitate their workmen's voting, by allowing them extra time, shows that the extension is unnecessary. Thinks that the hours at which Parliamentary and municipal elections commence should be assimilated.
Manchester	-	-	Not aware of any necessity for extension. Never knew of any case of an employer refusing to allow a man to leave his work to vote; would "leave well alone."
Newcastle-on-Tyne	-	-	Considers that if the hours of polling were extended, the officials would have some difficulty in giving constant attention during so many continuous hours, and that there might be some risk of disturbance.
Nottingham	-	-	That it is impolitic to prolong the hours of polling, as the present hours are sufficient, and an extension would increase the expenses, not only to this borough but to the candidates, and be the cause of additional drunkenness and corruption.
Perth	-	-	Is of opinion that the extension of the hours of polling would lead to no bad effect, as more excitement prevails for an hour or two preceeding the declaration of the poll than exists at any time of the day when the polling is going on, and there has never been any disorderly conduct at such times. Considers at the same time that the change is unnecessary in this burgh.
Plymouth	-	-	Is opposed to the extension of the hours of polling, as it would involve a serious risk of local disturbances, and the police would be unable to preserve order if the poll were declared very late in the evening.

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Rochdale	-	-	Is strongly of opinion that any extension is entirely unnecessary, as the working classes have every facility afforded them for recording their votes, and it <i>would cause additional expense</i> , and increase the difficulty of maintaining order.
Sheffield	-	-	Is of opinion that the present hours are sufficiently long, and is totally opposed to any polling of votes after sunset.
Southampton	-	-	Is not in favour of any extension, and no representations have ever been made to him in favour of any alteration in the existing arrangements.
Stockport	-	-	States that the peace of the borough would be endangered, drunkenness would be increased, and the detection of offenders rendered more difficult by the darkness. Increased hours of polling would <i>involve great additional expense</i> , and the result of the poll could not be declared until the next day.
Sunderland	-	-	Is strongly in favour of extension. At last school board election, in January, fixed from twelve to seven as the hours for polling, and no disturbance took place.
Wakefield	-	-	Is distinctly of opinion that the extension would entail additional difficulty <i>and expense in the maintenance</i> of order during elections, as drunkenness and the danger of riot would be increased thereby, and the ordinary police force would be inadequate for the purposes of keeping the peace.
Warrington	-	-	Is not in favour of the hours of polling being extended.
Wolverhampton	-	-	Objects to any extension in consequence of the great disorder which would probably prevail, and thinks such extension quite unnecessary, as he has known two-thirds of the voters poll during the existing hours, and it is a well-known fact that the men employed in the manufactories do not work during the whole day.

No ANSWERS have been received from the Mayors and Provosts of the following Boroughs:

Aberdeen.  
Chatham.  
Derby.  
Dundee.  
Greenock.

Huddersfield.  
Kirkcaldy.  
Leicester.  
Macclesfield.



I N D E X

TO THE

R E P O R T

FROM THE

S E L E C T C O M M I T T E E

O N

PARLIAMENTARY AND MUNICIPAL  
ELECTIONS  
(HOURS OF POLLING).

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*Ordered, by The House of Commons, to be Printed,  
30 July 1878.*

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# I N D E X.

[*N.B.*—In this Index the *Figures* following the Names of the Witnesses, and those in the Analysis of Evidence, refer to the Questions in the Evidence; the Figures following *App.* refer to the Pages in the Appendix; and the Numerals following *Rep.* to the Pages in the Report.]

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*EXTENSION OF HOURS:*

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2. *Inconvenience and insufficiency of an earlier opening of the Poll.*
3. *Objections to the proposed Extension.*
4. *Conclusions of the Committee.*

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4. *Conclusions of the Committee:*

Opinion that it would be undesirable to extend the hours of polling in all Parliamentary and municipal boroughs, irrespective of local requirement, and in the absence of pressing necessity, *Rep.* iii—Nor are the Committee able to recommend any limit of population or area above which the extension should be fixed by Parliament, *ib.*

Conclusion that the question does not press for immediate solution, and in the absence of any urgent necessity, and in the face of the objections which have been raised, that it should stand over till the time arrives for considering the continuance of the Ballot Act, *Rep.* iii.

See also *Birkenhead.* *Bribery.* *Expense.* *Glasgow.* *Leeds.* *Liverpool.*  
*Local Authorities.* *Manchester.* *Miners.* *Morpeth.* *Sheffield.* *Town*  
*Clerks.* *Wenlock.* *Working Classes.*

## F.

*Finnie, Elihu.* (Analysis of his Evidence.)—Is agent for one of the political parties in Leeds, 190—Correction of a statement by Mr. Curwood in respect of the School Board elections; opinion that the diminution in numbers at the last election was mainly due to the change of the hours from one to eight to from nine to four, 191–200, 222–238, 242–254, 309.

Strong feeling of the people of Leeds in favour of an extension to eight o'clock, 196, 197, 201, 221, 249, 266, 267, 294, 295—Belief that at the present time large numbers of voters in Leeds are practically disfranchised by reason of the poll being closed at four o'clock, 202–204, 219–221, 352–354—Greatest pressure of voting in Leeds between the hours of twelve and half-past one; opinion that if the hours were extended to eight o'clock the voting would be constant and gradual, 203, 204, 211, 227–231, 303, 304.

Strong objection on the part of the large employers in Leeds to the men leaving their work for the purpose of voting, 206, 271–273, 292, 293—Absence of any practical objection

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*Finnie, Elihu.* (Analysis of his Evidence)—continued.

objection to extending the hours of voting to eight o'clock; belief that such extension would not lead to excitement or riots, 208-210. 241—Approval of deferring the declaration of the poll to the following day, 212-216.

Opinion that increasing the number of the polling-booths would not meet the difficulty which at present exists in Leeds in regard to the inability of the voters to record their votes, 218. 274—Belief that if the present hours were extended, as many as 5,000 additional voters would poll in the Parliamentary elections, 235-238. 296, 297—Declaration of the poll at Parliamentary elections in Leeds generally about midnight, 255.

Grounds for the opinion that any system of central polling places which should be in communication with the district polling places for the convenience of working men at a distance from their homes would be impracticable; liability under such system to double voting, 258-261. 274. 286-291. 319-326. 359, 360—Disapproval of extending the hours by opening the poll earlier in the morning, 262-265. 281-283. 310-312—Statement that the ballot system of voting strengthens the argument in favour of extending the hours, 267-270.

Absolute necessity in Leeds for the use of vehicles to convey voters to the poll, notwithstanding that it is an infraction of the law; argument that an extension of the hours would have a decided tendency to diminish the use of vehicles 275-280. 307, 308—Considerable distances at which the majority of the working men live from their places of working at Leeds, 298-302. 305-308—Decided opinion that there would not be the slightest danger in removing the ballot boxes from the booths after eight o'clock in the evening, 313-315.

Impossibility for the general class of working men to get home to their dinner, get to the poll, and back to their work, within one hour, 318—Disapproval of any regulation in regard to the hours for polling being left to the discretion of the local authorities; the matter should be made binding by law, 328, 329.

Information respecting the hours of labour in Leeds for working men and for clerks and warehousemen, 330-334—Absence of complaints from clerks that they have not been able to vote; possibility for clerks and men of business to vote in the morning between eight and nine o'clock, 336-343—Limited advantage which would result from the hours being moved back from nine to eight in the morning, 344—Disapproval of a voter's name being upon the list for more places than one, 345-351.

Approval of the hours of polling remaining as they are at present if all the electors had a reasonable opportunity of recording their votes, 355-358—Further statement that a large number of workmen in Leeds are practically disfranchised by the inconvenience of the present hours for voting, 361-376.

*Fitzpatrick, James.* (Analysis of his Evidence.)—Is Secretary of the Liverpool Shipping Trades Council, 1762—Information in regard to the constitution of the council; seventy or eighty per cent. of the members are voters at municipal or Parliamentary elections, 1763-1765. 1790-1795.

Unanimous opinion of the council in favour of extending the polling hours to eight o'clock; assertion that there is no party feeling in Liverpool upon this question, 1767-1769. 1793-1795—Belief that as many as one-half of the working men in Liverpool are unable to vote unless they sacrifice their time; numerous cases in which a workman would lose his employment by determining to record his vote, 1770-1774. 1781-1789. 1800-1807. 1810-1812.

Statement with reference to the number of electors in Liverpool and the number who voted at the several Parliamentary elections since 1868; 1775-1780. 1796-1799—Opinion that it would be practicable for the electors to choose the polling place at which they would record their votes, 1808, 1809—Great inconvenience which would be caused to employers in many instances by the workmen leaving their work to vote, 1810-1812.

[Second Examination.]—Information in regard to some of the municipal elections in Liverpool; small number of votes which were recorded at the last election entirely caused by the difficulty experienced by the working men in getting away to vote, 1866-1879—Statement that the workmen at Liverpool are practically disfranchised by the present hours, 1878.

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## G.

## GLASGOW:

Evidence in favour generally of an extension of the hours of polling in Glasgow, *Sellar* 524 *et seq.*—Declaration of the poll at the last general election at Glasgow at twelve o'clock at night, *ib.* 528. 566. 625-629—Information as to the number of electors and the number who go to the poll; calculation that upwards of seventy-four per cent. of the electors record their votes, *ib.* 529. 546-548. 619, 620.

Decided opinion that there would be no danger in regard to disturbance, or as to the purity of elections, if the hours were extended to eight o'clock, provided that proper precautions were taken, *Sellar* 530. 536. 557. 578, 579. 591-602; *M'Call* 683 *et seq.*—Sundry details respecting the School Board elections; reasons for the constituency being larger than that for the Parliamentary election, *Sellar* 531-535. 604-615—Absence of any extraordinary pressure at the poll at any hour during the day of election, *ib.* 537-539. 552-554. 616-618.

Considerable distance which some of the working men in Glasgow would be obliged to travel to record their votes, *Sellar* 540-543. 580, 581. 632—Meetings held at which the working men have complained as to the hours of polling, *ib.* 544, 545. 550. 568, 569—Expediency of making the hours of polling (if they are to be extended), the same as in London, *ib.* 555—Belief that future elections in Glasgow can be conducted more economically than the last, the official expenses of which amounted to 2,402 l. 14 s. 7 d., *ib.* 570-573. 582.

The population of Glasgow is about 560,000, and is comprised in an area of about ten miles, *M'Call* 672, 673—Information regarding the School Board elections; belief that many persons have been unable to vote at these elections on account of the shortness of the hours, which are from eight a.m. to four p.m., *ib.* 674-679—Impossibility for a large number of the men to go during meal hours over the distance which lies between their work and the polling place, *ib.* 678, 979.

Description of the number and character of the booths erected for the purposes of the Parliamentary elections, *M'Call* 680—Grounds for the conclusion that there would not be any great pressure of voters during the last half-hour up to eight o'clock, *ib.* 681, 682. 714-719. 764. 798-803—Assertion that no objection exists to an extension of the hours to eight o'clock, *ib.* 684.

Undoubted fact that there are several thousand voters in Glasgow who cannot possibly register their votes without either neglecting their work or making a considerable sacrifice, *M'Call* 750—Information generally respecting the distances of various places where the working classes are employed outside Glasgow; instances in which many of the men would be as much as five or six miles from their homes, *ib.* 769-778. 782—The workmen generally vote between one and three o'clock, which are the meal hours, *ib.* 780, 781.

Statement that a large proportion of the working men of Glasgow are at the present time practically disfranchised by reason of the inconvenient hours of polling; suggestion by the Trades Council that the hours should be extended to eight p.m., *Kennedy* 808, 809. 825. 829-834. 854-859. 912, 913—Information respecting the trades in Glasgow and the hours of work; conclusion that to many of the workmen, the extension of the hours would be of no advantage unless the election took place on a Saturday, as suggested by the Birmingham Trade Council, *ib.* 814-821. 841-845. 865, 866. 918-923—Petition presented by witness from the working men of Glasgow in favour of an extension of the hours of polling, 834.

Impracticability for many electors to vote at meal times on account of the extraordinary pressure, *Kennedy* 835, 836—Larger number of electors vote at School Board elections than at the municipal elections, *ib.* 891, 892—Consultation held between a committee of the Trades Council and the members for Glasgow upon the subject of the polling hours at municipal elections, *ib.* 924.

Witness, who has been president of the Glasgow Trades Council, and is intimately acquainted with the wishes of the working men on the subject of the hours of polling, advocates an extension of the hours, *Battersley* 936 *et seq.*—Absence of any excitement or intemperance upon the part of the working men on the occasion of elections, *ib.* 941-943. 958-960—Absence of personation at the last general election, *ib.* 965-968.

See also *Expenses.*    *Polling Places.*    *Working Classes.*

*Glassey, Thomas.* (Analysis of his Evidence.)—Is a commission agent at Morpeth; was a working miner at the time of the last Parliamentary election for the borough, and took an active part in the election, 2256-2260. 2341-2367—Total of about 5,200 electors in 1874, of whom about 4,000 recorded their votes at the election in that year; some 3,500 of the constituency were miners, 2261-2265. 2293, 2294—General expression of feeling on the part of the miners after the election as to the inconvenience caused by the limited hours of polling, and as to the necessity of an extension of the hours, 2266-

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*Glassey, Thomas.* (Analysis of his Evidence)—continued.

2266-2269. 2322—Strong desire evinced at the Newcastle election in January 1874 in favour of its being held on Saturday, as being a half-holiday, 2268, 2269. 2319-2321.

General holiday taken by the miners of Morpeth at the election in 1874, in order to record their votes, 2270, 2271—Belief that if the hours of polling were extended no holiday would be taken at future elections, especially if trade were depressed, 2272, 2273. 2282. 2334-2336. 2349-2351—Explanations relative to the system of working the pits in the borough, the necessity of stopping working if the miners go to the poll, and the great expense entailed thereby, 2274-2281. 2295 *et seq.*

Advocacy of an extension of the time of polling till eight p.m.; inadequacy of an extension till six p.m. in the case of Morpeth, 2276-2280—Necessity doubtless of an increase of election expenses if the poll be prolonged till eight in the evening; less increase, however, than would be entailed by additional polling places, 2283-2288. 2323-2332. 2355, 2356. 2371-2373. 2389, 2390—Insufficiency of a mere increase of polling stations, without an extension of hours; reference hereon to the long distances which many men have to go to their work, 2289. 2305-2318. 2354, 2355. 2366-2370. 2374.

Belief that there need be no fear of rioting at Morpeth, the poll not closing till eight p.m., 2290. 2337-2340—Difficulty as to the prompt loading of ships through miners stopping work at election time, 2303. 2357-2365. 2395, 2396—Partial removal of the inconvenience if the polling took place on Saturday; inadequacy, however, of an alteration short of an extension of the hours, 2336. 2348-2355. 2374-2377—Insufficiency of an earlier opening of the poll in lieu of an extension of the hours in the evening, 2378-2390.

*Grimsby.* Considerable disturbance at the last election for Grimsby; assistance of the military necessary to preserve the peace, *Jackson* 1456. 1468-1471.

## H.

*Hagger, Henry Joseph.* (Analysis of his Evidence.)—Experience of witness for nearly twenty years as clerk to the vestry of Liverpool, 1711, 1712. 1714, 1715—Returns prepared by witness showing the details of elections for the vestry held in the years 1873 and 1874; 1712, 1713—Experiment tried by the vestry to suit the working classes by changing the hours of polling on different days; complete success of this experiment, 1716-1730. 1734-1742—Arrangement that there should be an evening poll on alternate days, 1719. 1755, 1756.

Statement that the parish constituency is a very much more extended franchise than the Parliamentary or the municipal constituency, 1726—Important feature in the return that the votes recorded after six o'clock were almost exclusively those of the working classes, 1736-1741—Large proportion of electors who voted after four o'clock, 1741-1752.

Opinion that giving the vestry the power to fix the hours of polling works well in Liverpool, 1753, 1754—Considerable amount of additional work which devolved on the officials as the result of the extension of the hours, 1753—Difference of feeling which existed in the vestry in regard to the settlement of the hours, 1755, 1756.

Decided opinion that an extension of the hours of polling at Parliamentary elections would enable many persons to vote who are now prevented from doing so, 1760—The borough of Liverpool is between four and five miles long, 1761.

*Halifax.* Opinion of the mayor that an extension till eight p.m. would not cause any public disturbance, *App.* 129.

*Henderson, Captain William.* (Analysis of his Evidence.)—Has held the office of Chief Constable of Leeds for three and a half years, 379, 380—Opinion generally that there is not a strong necessity for any alteration in the hours for polling at Leeds; contention that any working man who is really anxious to record his vote, can do so under the present system, 381-389. 392. 400. 412, 413. 441-444. 456-462—Statement that the early closing of the poll has a tendency to allay excitement and irregularity, which would not be the case if the hours were extended, 382. 391-393. 400. 457-460. 473-475.

Dissent from Mr. Finnie's statement that as many as 5,000 electors are debarred from voting by the present short hours; there may be instances of inability to vote, but there is nothing like a disfranchisement of 5,000 persons, 386, 387. 415-436. 447-449—Liability to disturbances or rioting if the hours were extended to eight o'clock; belief that drunkenness would be increased by such extension, 388-396. 453-455. 463-470. 473-475. 480. 481. 504-511.

Conclusion that if the hours be extended to eight o'clock, the great pressure would be towards the close of the poll, 395, 396. 409-411—Absence of any danger up to the present time in regard to the safety of the ballot boxes while being conveyed from the outlying districts; the chance of danger to the boxes would be considerably enhanced if the hours were extended to eight o'clock, 403-409. 433.

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*Henderson, Captain William.* (Analysis of his Evidence.)—continued.

Considerable interest in municipal and Parliamentary elections evinced by the inhabitants of Leeds, 430-432—Admission that it might be necessary to extend the hours at Leeds on account of the long distances that many workmen must travel to the polling booths, 434-440—Belief that individual employers afford as many facilities as possible to their workmen to vote, 443. 490-502.

Political character of the municipal elections in Leeds, 468, 469—Opinion that an extension of four hours for polling up to eight o'clock would considerably increase the facilities for corruption, 471, 472—Less interest taken by the working classes in the School Board than in the Parliamentary elections, 476-479. 482.

Explanation that the evidence given by witness is based upon his own experience at the polling booths, and upon the reports of his subordinate officers; absence of any complaints to the police that the working classes have been unable from want of time to record their votes, 482-489. 503. 520, 521—Considerable inconvenience which would result in many manufactories from the men being absent any portion of the day for the purpose of voting; instances in which employers have given their workmen facilities for recording their votes, 493-496. 512-519—Numerous cases in which on the day of election no work is done at all at the manufactories, 497.

Grounds for concluding there would be no cessation of excitement if the declaration of the poll were postponed until the following day, 504-510—Opinion that if the hours were extended as proposed, the change would add materially to the labours of the police force, 511.

*Heron, Sir Joseph.* (Analysis of his Evidence.)—Lengthened experience of witness as town clerk of Manchester, in which capacity he has had the management of all the local elections, 1880-1882.

General opinion in Manchester, without any dissentients (so far as witness is aware), that it is neither necessary nor desirable to make any alteration in the present hours of polling for Parliamentary or municipal elections, 1883, 1884. 1944-1949. 2010. 2079—Large number of corporations which have joined an association for discussing questions of legislation; almost unanimous feeling at a general meeting of the association in 1877, adverse to any change in the hours of polling, 1884. 1950-1970. 2071-2078. 2088.

Absence of complaint in Manchester as to any inconvenience from the present hours, 1885-2045—Large proportion of votes recorded at the Parliamentary elections in 1874 and 1876; small poll at the School Board election in 1873; 1885. 1895-1897. 1977-1980. 2031-2033—Readiness of employers to facilitate the voting of their workmen, 1885. 1891. 2002-2004. 2034-2039—Full power in the corporation of Manchester to multiply the number of polling districts, so as to obviate inconvenience through voters having to go long distances to the poll, 1885-1887. 1892-1902. 2049, 2050—Opportunity of workmen for voting during the time devoted to smoking after dinner, 1885—Deprecation of the use of cabs, as at Manchester elections, 1885. 1887-1889. 1903-1906.

Serious evils apprehended from an extension of the hours from eight a.m. till eight p.m., 1887. 1890—Difficulty as to the remuneration of the poll-clerks if the poll were open for twelve hours; statement as to their being frequently idle during the present hours, 1887. 1907-1910. 1999-2001—Considerable difficulty in carrying on the poll in the dark; large increase of expense for lights, 1887. 1911, 1912. 1986-1990.

Drunkenness and disorder likely to result if the poll in Manchester were open till eight p.m.; very little disposition to disorder under existing arrangements, 1887. 1915-1921—Decided increase of cost by an extension of the hours, 1887. 1907-1912. 1940-1943—Views of the town clerk of Liverpool adverse to any alteration of the hours, 1902—Adoption of the same hours for the school board elections in Manchester as for the Parliamentary elections, 1913, 1914. 2051-2056.

Belief that the proposed extension of the hours would not lead in Manchester to any increase of polling, 1923. 2069, 2070—Arrangements in Manchester as to the declaration of the poll; collection of crowds, but without disturbance, 1924-1937—Advantage in the poll being declared in the evening of the election day, 1924, 1925. 2061, 2062—Reasons for concluding that disorder would ensue if the poll were open till eight o'clock, although there is no disorder at the declaration of the poll at a later hour, 1926-1939.

Statement as to the corporation of Manchester being opposed to a change of the hours, 1946. 2010. 2079—Similar feeling on the part of those who manage the elections, 1946-1949. 1991-1993—Belief that town clerks, in opposing an extension of hours, are not actuated by any apprehension lest they should have more work to do, 1964-1976.

Grounds for the conclusion that the working classes in Manchester can poll with facility during the present hours; reference especially to the distances from the voters' homes, or from their place of work, to the polling places, 1981-1985. 1997, 1998. 2002-2004. 2034-2050—Increased facility to voters if, when they are put on the register, they might select their polling places; this would involve some difficulty, and would

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*Heron, Sir Joseph.* (Analysis of his Evidence)—continued.

would be open to the risk of increased personation, 1994-1996. 2011-2013. 2082-2087.

Further increase of drunkenness and disturbances if the poll be open till eight in the evening, 2005-2009—Difficulty as regards the continuous employment of presiding officers and poll-clerks for twelve hours; considerable increase of cost involved, 2014-2030—Extension of hours in the metropolis under the Act of last Session, no election having, however, yet taken place under the Act, 2024-2030. 2063, 2064.

Approval of a discretion in the town council to fix the hours, rather than of the proposed extension by Act, 2056-2060. 2067, 2068. 2081—Objection to the returning officer exercising a discretion in the matter, 2057, 2058. 2060, 2061.

Explanations with further reference to the number of corporations represented by witness in his opposition to the proposed extension of the hours of polling, 2065, 2066. 2071-2078. 2088.

*Holidays.* Numerous cases in which on the day of election no work is done at all at manufactories at Leeds, *Henderson* 497—Exceptional cases in which workmen at Glasgow get a holiday upon the occasion of an election; disapproval of compelling them to take a holiday for the purpose of voting, *Kennedy* 823, 824. 869-879—Considerable extent to which holiday is taken at Sheffield on election days, *Jackson* 1450-1453. 1494-1505—Conclusion that miners would not take a general holiday if they could poll up eight p.m., *Glassey* 2272, 2273. 2282. 2334-2336. 2349-2351; *Bryson* 2403-2410—Opportunity and practice of witness as to taking a holiday at elections; this is not the general custom at Manchester, *Speight* 2440-2443. 2472-2474. 2490-2499.

Evidence before the Committee to the effect that an extension of the hours of polling would put an end to the practice which prevails in certain boroughs of celebrating election days as whole or partial holidays, and in this way would diminish the danger of disturbance and the amount of drunkenness, *Rep.* iii.

*Hughes, John.* (Analysis of his Evidence.)—Representation on the part of working men in Colebrook Dale, in the borough of Wenlock, as to the loss of time and of wages entailed when they go long distances to the poll at elections for the borough, 2116-2156—Feeling of working men in Colebrook Dale in favour of an extension of the time for polling till eight p.m., 2120. 2131, 2132—Instances of men in the Iron Bridge district not going to the poll through objection to sacrifice their time, 2124.

## J.

*Jackson, John.* (Analysis of his Evidence.)—Has held the office of chief constable at Sheffield for twenty years; has had considerable experience of contested elections both at Sheffield and Oldham, 1416-1418. 1512. 1560, 1561—Keen interest taken by the inhabitants of Sheffield in political affairs, 1419, 1420—Insignificant amount of disturbance at the recent elections in Sheffield, the last of which was particularly exciting, 1421-1423. 1425-1427. 1584-1587. 1601-1605.

Questionable expediency of extending the hours of polling in Sheffield till eight in the evening, on account of the danger of disturbances; opinion that by keeping the crowds in a state of excitement in the streets until after dark, the chances of rioting are increased, 1424-1437. 1454-1462. 1490-1493. 1506-1515. 1567-1571. 1588-1598. 1606-1608—Strong disapproval of conducting any election whatever except by daylight; darkness, where there is an excited crowd, is a strong incentive to mischief, 1429-1433. 1457. 1460-1465. 1472-1474. 1478-1482. 1493. 1518-1528. 1539-1543. 1588-1595.

Belief that there is a very strong feeling on the part of the workmen in Sheffield as regards an extension of the hours; admission that considerable difficulty exists for many men to leave their trades during the polling hours, 1438-1440. 1445, 1446. 1600—The area of Sheffield is nearly thirty-six square miles, and the population is 289,600; 1441, 1442—Number of municipal and Parliamentary voters, 1443, 1444.

Suggestion that the municipal and School Board elections should take place at Midsummer, and not in November, as at present; opinion that any present change should be confined to those two elections, 1447-1449. 1458, 1459. 1490—Expediency of making the hours for polling at the local elections from twelve at noon to seven in the evening; advisability of extending the hours for these elections before dealing with Parliamentary elections, 1447-1449. 1458. 1490-1493. 1600.

Opinion that at the last general election at Sheffield there were singularly few men remaining at their work; belief that the latter half of an election day is kept very much as a holiday, 1450-1453. 1494-1505—Considerable disturbances at the last election for Grimsby; assistance of the military necessary to preserve the peace, 1456. 1468-1471.

*Jackson, John.* (Analysis of his Evidence)—continued.

Statement that the great danger of disturbance is at the declaration of the poll ; strong opinion in favour of closing the poll at Parliamentary elections at four o'clock, and declaring the result on the following day, 1473-1477. 1483-1488. 1534-1538. 1562, 1563. 1579-1583—Want of analogy between London and Sheffield in regard to the fear of disturbance at elections, on account of the disproportion of the police force at the latter place, 1506—Opinion that the police force in Sheffield is sufficient generally to prevent danger from rioting, 1507.

Consultations held by witness with his subordinates on the present question ; strong opinion of his officers in favour of the polling ceasing with daylight, 1532. 1546-1558—Considerable amount of additional duty which would devolve upon the police force in the event of an extension of the hours ; difficulty of relieving a policeman during an election from the time he goes on duty until the election is over, 1546-1556. 1559. 1568-1571—Belief that a large majority of the workmen would vote between four and eight in the evening, 1562.

Large number of policemen who would be upon duty in the polling booths during the evening and would not be available to put down any disturbance which might arise in the streets, 1568-1571—Opinion that there would be no extraordinary pressure round the polling booths at the close of the poll, 1575-1578—Statement that statistics relating to intemperance show that drunkenness is almost less in Sheffield than in any other large town in the kingdom, 1586-1596.

## K.

*Kennedy, Duncan.* (Analysis of his Evidence.)—Represents the members of the Glasgow Trades Council, of which he is secretary ; is a painter by trade, and possesses an intimate knowledge of the wishes and desires of the working men of Glasgow, 804-807. 837-840. 862-864. 898-911. 914-917.

Statement that a large proportion of the working men of Glasgow are at the present time practically disfranchised by reason of the inconvenient hours of polling ; suggestion by the Trades Council that the hours should be extended to eight p.m., 808, 809. 825. 829-834. 854-859. 912, 913—Decided opinion that opening the poll earlier in the morning would not be of the least advantage to the working men, 810-812. 883-886. 928, 929.

Disapproval of giving voters the option of selecting their polling place ; with regard to the building trade the system would not answer at all, 813. 860, 861—Information respecting the trades in Glasgow and the hours of work ; conclusion that to many of the workmen the extension of the hours would be of no advantage unless the election took place on a Saturday, 814-821. 841-845. 865, 866. 918-923.

Exceptional cases in which the workmen get a holiday upon the occasion of an election ; disapproval of compelling them to take a holiday for the purpose of voting, 823, 824. 869-879—Belief that if the hours of polling were extended the majority of the working men would vote between five and eight o'clock, 826-828.

Petition presented by witness from the working men of Glasgow in favour of an extension of the hours of polling, 834—Impracticability for many electors to vote at meal times on account of the extraordinary pressure, 835, 836—Natural indisposition on the part of the employers to give their men time to go and vote on account of the loss and inconvenience to others working with them, 846-850. 872-879.

Great advantage which would result from postponing the declaration of the poll till the next day, 851-853—Decided opinion that if the hours of polling are extended to eight o'clock the working man will be perfectly free to exercise his right of voting without loss to himself or other people, 881, 882—Statement that a larger number of electors vote at School Board elections than at the municipal elections in Glasgow, 888, 889—Political character of the municipal elections, 891, 892.

Opinion of the Glasgow working men that the additional expense which would result from the extension to eight o'clock would be amply compensated for by the benefit derived ; desirability of throwing the whole of the official expenses upon the rates, 893-897. 925-927. 932—Consultation held between a committee of the Trades Council and the Members for Glasgow upon the subject of the polling hours at municipal and Parliamentary elections, 924.

*Kidderminster.* Objection on the part of the mayor to any extension of the hours of polling, as being calculated to promote disorder, *App.* 129—Expediency of curtailment rather than extension, *ib.*

LEEDS:



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LEEDS:

Explanations in detail relative to the reasons why the working population in Leeds do not more fully record their votes; impracticability of any further measures for obviating the effects of pressure at certain hours, *Curwood* 20-23. 28 *et seq.*; 107-117. 135, 136—Employment of about 300 clerks on the occasion of a Parliamentary election; sixty or seventy only required for the purpose of counting the votes, *ib.* 10. 13. 15. 67-77. 97-98—Inability of many working men to record their votes during the present hours, *ib.* 20-23. 36-38.

Absence of any objection to extending the hours of polling in the evening on account of risk of excitement or riot; exceptional character of the Leeds people in regard to this danger upon the occasion of elections, *Curwood* 31, 32. 40. 95, 96. 139-142. 149, 150. 171—Impracticability of declaring the poll on the same day in the case of re-contested School Board elections, *ib.* 63—Assertion that the same difficulty exists in both municipal and Parliamentary elections, as regards recording votes, *ib.* 104, 105.

Absence of any complaint that the polling for the School Board is not extended beyond four in the afternoon; indifference evinced by the working men in respect of the School Board election, *Curwood* 118-125. 152-154—The numbers on the municipal and the Parliamentary registers in Leeds are very nearly equal, *ib.* 134—General opinion in Leeds that the working classes cannot exercise the franchise unless they are willing to give up part of their wages or to go without a dinner; belief that of those who cannot now vote nine out of ten would vote in the evening if the hours were extended, *ib.* 143-146.

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Less interest taken by the working classes in the School Board than in the Parliamentary elections; belief that the great bulk of the workpeople would not vote at the School Board elections if left to themselves and not brought up by agents, *Henderson* 476-479. 482—Explanation that the evidence given by witness is based upon his own experience at the polling booths and upon the reports of his subordinate officers; absence of any complaints to the police that the working classes have been unable from want of time to record their votes, *ib.* 482-489. 503. 520, 521.

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Letters from the Old Society of Operative House Painters, and the National Association of Operative Plasterers, in June 1878, submitting grievances on the part of the operatives through the poll being closed at four o'clock, *App.* 126, 127.

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Extra precautions which would be necessary in Liverpool if the hours of polling were extended in the evening; that is, on account of the probability of disturbances, *Curwood* 32-34. 60, 61.

Returns prepared by witness showing the details of elections for the vestry held in the years 1873 and 1874, *Hagger* 1712, 1713 — Experiment tried by the vestry to suit the working classes by changing the hours of polling on different days; complete success of this experiment, *ib.* 1716-1730. 1734-1742 — Arrangement that there should be an evening poll on alternative days, *ib.* 1719. 1755, 1756.

Statement that the parish constituency is a very much more extended franchise than the Parliamentary or the municipal constituency, *Hagger* 1726 — Important feature in the return that the votes recorded after six o'clock were almost exclusively those of the working classes, *ib.* 1736-1741 — Large proportion of electors who voted after four o'clock, *ib.* 1741-1752.

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Decided opinion that an extension of the hours of polling at Parliamentary elections would enable many to vote who are now prevented from doing so, *Hagger* 1760 — The borough of Liverpool is between four and five miles long, *ib.* 1761.

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Statement with reference to the number of electors in Liverpool, and the number who voted at several Parliamentary elections since 1868, *Fitzpatrick* 1775-1780. 1796-1799 — Information in regard to some of the municipal elections; small number of votes which were recorded at the last election, entirely caused by the difficulty experienced by the working men in getting away to vote, *ib.* 1866-1879.

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**M.**

**McCall, Alexander.** (Analysis of his Evidence.)—Has been chief constable of Glasgow for eight years; was previously connected with the Glasgow police force for twenty years, 667-671 — The population of Glasgow is about 560,000, and is comprised in an area of about ten miles, 672, 673.

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*Mallinson, Joseph.* (Analysis of his Evidence.)—Is a razor grinder at Sheffield, and attends to give evidence on behalf of the Sheffield Trades Council, of which he is a member, 1318, 1319. 1323-1325—Advocacy by the council of an extension of the hours of polling, 1320-1322—Grounds for preferring an extension of the hours to eight instead of to seven o'clock in the evening; belief that if this extension were made it would remove the whole difficulty which prevents the working men from recording their votes, 1320-1323. 1382. 1386-1388. 1393. 1394. 1402, 1403.

Impossibility with the present hours for workmen in certain trades to record their votes unless at a sacrifice to their employers, their fellow-workmen, or to themselves, 1336-1339—Firm conviction of witness that an extension of the hours in the evening would not lead to any disturbance or breach of the peace, 1340, 1341. 1385. 1395—Information in regard to the constitution of the trades council of Sheffield, and the manner in which representatives of the trades are elected thereto; the council is in no way a political organisation, 1344-1368. 1396-1398.

Statement that at the last general election 25,000 persons polled out of a total of 40,000 on the register, 1369—Difficulties which prevent workmen at Sheffield recording their votes even if willing to do so at a considerable sacrifice; men should not be called upon to make unnecessary sacrifices in the discharge of public duty, 1371-1378. 1389-1392. 1404, 1405—Disapproval of extending the hours in the morning instead of the afternoon, 1379-1382.

Considerable inconveniences which have arisen in the non-completion of work and the consequent non-execution of orders by reason of the men breaking time to go and vote; if the hours were extended to eight o'clock there would be much less broken time than at present, 1399-1401—Opinion that if the hours were extended as many as 5,000 more voters would poll, 1406, 1407—Non-existence of any system of paid canvassing at the elections in Sheffield, 1408-1415.

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General opinion in Manchester without any dissentients (so far as witness is aware), that it is neither necessary nor desirable to make any alteration in the present hours of polling for Parliamentary or municipal elections, *Sir J. Heron* 1883, 1884. 1944-1949. 2010. 2079—Absence of complaint as to any inconvenience from the present hours, *ib.*

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1885. 2045—Large proportion of votes recorded at the Parliamentary elections in 1874 and 1876; small-poll at the School Board elections in 1873, *Sir J. Heron* 1885. 1895-1897. 1977-1980. 2031-2033.

Full power in the corporation of Manchester to multiply the number of polling districts, so as to obviate inconvenience through voters having to go long distances to the poll, *Sir J. Heron* 1885-1887. 1892-1902. 2049, 2050—Drunkenness and disorder likely to result if the poll in Manchester were open till eight p.m.; very little disposition to disorder under existing arrangements, *ib.* 1887. 1915-1921—Adoption of the same hours for the School Board elections in Manchester as for the Parliamentary elections, *ib.* 1913, 1914. 2051-2056—Belief that the proposed extension of the hours would not lead in Manchester to any increase of polling, *ib.* 1923. 2069. 2070.

Further evidence as to the probability of an increase of drunkenness and disturbances if the poll be open till eight in the evening, *Sir J. Heron* 1926-1939. 2005-2009—Statement as to the corporation being opposed to a change of the hours, *ib.* 1946. 2010. 2079—Similar feeling on the part of those who manage the elections, *ib.* 1946-1949. 1991-1993.

Grounds for the conclusion that the working classes in Manchester can poll with facility during the present hours; reference especially to the distances from the voters' houses or from their place of work to the polling places, *Sir J. Heron* 1981-1985. 1997, 1998. 2002-2004. 2034-2050.

Resolutions passed by the Manchester and Salford Trades Council in favour of an extension of the hours of polling at elections, *Speight* 2428-2431—Conviction of witness that a much larger number of electors would have voted in Manchester if there had been an extension of the hours; illustration to this effect at the election of 1868; *ib.* 2432-2439. 2450, 2451. 2460, 2461. 2465-2471—Instance at a municipal election in 1871 of the insufficient opportunities of working men for recording their votes, *ib.* 2462.

Desire of the Manchester Working Men's Conservative Association for an extension of the hours of polling at elections, *Ball* 2502-2507—Grounds for the conclusion that a great many electors were prevented from polling at the last two elections through the poll closing at four o'clock, *ib.* 2515-2519.

Exception taken to Sir J. Heron's evidence as to the great risk of rioting if the hours be extended till eight p.m.; belief that there is no good cause for apprehension on this score, *Ball* 2520-2532—Impression as to there having been some extension of the hours at the School Board election (inaccuracy of witness on this point), *ib.* 2530. 2558-2560.

Satisfaction of the people if it were left to the corporation to regulate the hours; statement hereon as to the corporation not at present representing public feeling in Manchester on the subject, *Ball* 2532, 2533. 2544-2550.

Views of the mayor adverse to any extension of the hours, *App.* 129.

See also *Building Trades.*    *Employers.*    *Working Classes.*

**Manufacturing Districts.** Statement that in the large centres of the manufacturing population considerable numbers are prevented from voting on account of the loss of part of their day's pay; suggestion hereon that the hours of polling be extended to eight o'clock in the evening, *Curwood* 6-8. 20-23. 32. 35-38. 52, 53. 62. 78-87. 102. 104. 126. 144.—See also *Leeds.*    *Manchester.*    *Sheffield.*

**Marston, William.** (Analysis of his Evidence.)—Has been deputed by the Leeds District Trades Council to give evidence before the Committee, 1610-1614—Information respecting the constitution of the council; non-political character of the association, 1615-1618. 1628-1631—General opinion in Leeds that in order to enable the working classes to record their votes, the hours of polling should be extended to eight o'clock; belief that any less extension would be of no service, 1619-1622. 1643-1646. 1697-1704.

Statement that a considerable number of electors at Leeds, especially in the building trades, are practically disfranchised by the present hours of polling; difficulty in railway employes getting away from their work for the purpose of voting, 1622. 1631. 1652-1658. 1676, 1677. 1705—Occasional objection made by employers to their men leaving work to vote, 1622. 1935-1638. 1671, 1672.

Large numbers polled at the first School Board election, when the hours were from one to eight o'clock, as compared with the last election, when the hours were from eight to four o'clock, 1623 1625. 1647—Scattered character of the constituency, 1626, 1627.

Disapproval of the proposal that the electors should select beforehand the ward in which they intend to vote; considerable difficulty under such system in preventing personation,

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sonation, 1632-1634. 1659-1664. 1678-1683—Dissent from Mr. Henderson's evidence to the effect that there were very few electors in Leeds who had not the opportunity of recording their votes, 1639-1643.

Opinion that if the hours were extended to eight o'clock there would be no danger of disturbance, 1648-1650—Approval of declaring the poll on the following day, by which time the excitement would have subsided, 1650, 1651—Further information relative to the classes of workmen in Leeds who are chiefly prevented from voting by the present hours, 1665-1670. 1705, 1706.

Occasional instances in which employers give the men half a-day to vote; under no circumstances is the day of election a general holiday, 1673-1675. 1684, 1685—Grounds for the opinion that the diminution which has occurred in the number of votes recorded at the several elections has been occasioned by the inconvenience of the present hours, 1686-1696. 1707-1709.

*Mayors of Boroughs.* Views of the mayors of the more important boroughs; large majority adverse to an extension of the hours of polling, *App.* 128-130.

*Metropolis.* Conclusion that as a general rule what has been accomplished in London in respect to the extension of the hours for polling might with equal facility be carried out elsewhere; the only difficulty would be in the increase of expense, *Curwood* 171-178—Extension of hours in the metropolis under the Act of last Session, no election having, however, yet taken place under the Act, *Str J. Heron* 2024-2030. 2063, 2064.

Experience to be gained from the working of the extended hours in the metropolitan constituencies, *Rep.* iii.

*Miners.* Instance of a number of miners having been prevented from voting because the man in charge of the engine would not draw them up out of the pit in which they were working, *Turner* 1288-1293—Representations as to the want of an extension of hours in the borough of Wenlock, with a view to the polling of the miners in the Madeley and other districts, *Wall* 2159. 2165 *et seq.*

Evidence as to the necessity of an extension of the hours of polling in order to meet the case of miners in the borough of Morpeth, *Glassey* 2266 *et seq.*—Explanations relative to the system of working the pits in the borough, the necessity of stopping working if the miners go to the poll, and the great expense entailed thereby, *ib.* 2277-2281. 2295 *et seq.*—Difficulty as to the prompt loading of ships through miners stopping work at election time, *ib.* 2303. 2357-2365. 2395, 2396.

Witness as President of the Northumberland Miners Union represents the views of the miners as to the want of an extension of the hours of polling; he concurs generally in the evidence of Mr. Glassey on the subject, *Bryson* 2397, 2398. 2413-2418—Statement showing the great loss incurred in wages through miners being obliged to take holiday in order to vote at elections, *ib.* 2399. 2407-2409—Increased expense in connection with the loading of ships with coals when work is stopped in the mines on the day of an election, *ib.* 2400.

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*Morpeth.* Total of about 5,200 electors in the borough of Morpeth in 1874, of whom about 4,000 recorded their votes at the election in that year; some 3,500 of the constituency were miners, *Glassey* 2261-2265. 2293, 2294—Strong expression of feeling on the part of the miners after the election as to the inconvenience caused by the limited hours of polling, and as to the necessity of an extension of the hours, *ib.* 2266-2269. 2322—General holiday taken by the miners of Morpeth at the election in 1874, in order to record their votes, *ib.* 2270, 2271.

Belief that if the hours of polling were extended no holiday would be taken at future elections, especially if trade were depressed, *Glassey* 2272-2273. 2282. 2334-2336. 2349-2351—Advocacy of an extension of the time of polling till eight p.m.; inadequacy of an extension till six p.m. in the case of Morpeth, *ib.* 2276-2280—Insufficiency of a mere increase of polling stations without an extension of hours; reference hereon to the long distance which many men have to go to their work, *ib.* 2289. 2305-2318. 2354, 2355. 2366-2370. 2374.

Belief that there need be no fear of rioting at Morpeth, the poll not closing till eight p.m., *Glassey* 2290. 2337-2340—Partial removal of the inconvenience if the polling took place on Saturday; inadequacy, however, of any alteration short of an extension of the hours, *ib.* 2336. 2348-2355. 2374-2377.

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*Newcastle-on-Tyne.* Strong desire evinced at the Newcastle election, in January 1874, in favour of its being held on Saturday, as being a half-holiday, *Glasse* 2268, 2269. 2319-2321.

Objection on the part of the mayor to any extension of the hours of polling, as being calculated to promote disorder, *App.* 129.

*Nottingham.* Several grounds of objection by the mayor to an extension of the hours, *App.* 129.

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*Oldham.* Larger proportion polled at Oldham than at Manchester, the employers giving a general holiday in the former borough, *Ball* 2527-2529.

## P.

*Personation.* Impossibility of taking effectual precautions against personation, in the event of working men choosing the place to vote, *Sellar* 636-646—Concurrence in the view as to the liability to personation if voters might select their polling places, *Wilson* 1095-1098. 1122-1125. 1141-1148; *Marston* 1632-1634. 1659-1664. 1678-1683—Very little difficulty anticipated in carrying on the poll in the dark hours; sufficient check upon personation, *Speight* 2453, 2454.

*Perth.* Conclusion of the provost as to an extension of the hours not being necessary in the case of Perth, though it would not promote disturbances, *App.* 129.

*Plymouth.* Objection on the part of the mayor to any extension of the hours of polling, as being calculated to promote disorder, *App.* 129.

*Police.* Opinion that if the hours were extended as proposed, the change would, in the case of Leeds, add materially to the labours of the police force, *Henderson* 511—Statement that if the hours be extended as proposed, there will be no additional expense at Glasgow in regard to the police employed, *M'Call* 699, 700. 736-738.

Consultations held by witness with his subordinates at Sheffield on the present question; strong opinion of his officers in favour of the polling ceasing with daylight, *Jackson* 1532. 1546-1558—Considerable amount of additional duty which would devolve upon the police, in the event of an extension of the hours; difficulty of relieving a policeman, during an election, from the time he goes on duty until the election is over, *ib.* 1546-1556. 1559. 1568-1571—Large number of policemen who would be upon duty in the polling booths during the evening, and, in consequence, would not be available to put down any disturbance which might arise in the streets, *ib.* 1568-1571.

*Poll Clerks.* Absence of necessity for an additional number of clerks, in the event of an extension of the hours, as at Glasgow, *Sellar* 558-567. 629-631—Difficulty as to the remuneration of the poll clerks, if the poll at Manchester were open for twelve hours; statement as to their being frequently idle during the present hours, *Sir J. Heron* 1887. 1907-1910. 1999-2001.

*Polling Places.* Doubtful expediency of increasing the number of the polling booths as a remedy for the pressure which occurs at certain hours; considerable expense which would result if this were done, besides the difficulty in counting the votes, *Curwood* 87. 91. 147—Opinion that increasing the number of the polling booths would not meet the difficulty which at present exists in Leeds in regard to the inability of the voters to record their votes; objection, moreover, on other grounds, *Finnie* 218. 258-261. 274. 286-291. 319-326. 359, 360—Disapproval of a voter's name being upon the list for more places than one, *ib.* 345-351.

Opinion that giving the privilege of voting in the ward where the men work, instead of where they live, would be impracticable, *Sellar* 632-635. 647-666; *Battersby* 961-965—Difficulty of a working man selecting the place to vote, on account of his frequent changes of residence, as he must vote in the ward in which he resides, *Sellar* 634, 635. 655-660. 663, 664—In certain counties in Scotland a voter may claim to vote at a polling place other than the proper place, but the privilege is not used to any great extent, *ib.* 651-653—Necessity for transferring each man's name from the proper polling place to the selected polling place; decided opinion that, in Glasgow, the system could not work, *ib.* 653, 654.

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the ward in which they intend to vote; considerable difficulty under such a system in preventing personation, *Wilson* 1095-1098. 1122-1125. 1141-1148; *Marston* 1632-1634. 1659-1664. 1678-1683.

Opinion that it would be practicable for the electors to choose the polling place at which they would record their votes, *Fitzpatrick* 1808, 1809—Increased facility to voters if, when they are put on the register, they might select their polling places; this would involve some difficulty, and would be open to the risk of increased personation, *Sir J. Heron* 1904-1996. 2011-2013. 2082-2087.

Inadequacy of an increase of polling places, or of any other arrangement short of an extension of the hours of polling, *Glassey* 2289. 2305-2318. 2366-2370; *Bryson* 2401, 2402. 2419-2423; *Speight* 2452.

*Potts, Edward Bagnall.* (Analysis of his Evidence.)—Is a solicitor at Broseley, in the borough of Wenlock, and has twice acted as election agent at Parliamentary elections for the borough, 2089, 2090. 2115—Submits sundry particulars relative to the borough, its very extensive area, and the large proportion of the electors who voted at the last election; conclusion that there is no necessity for any alteration of the hours of polling, 2091-2114—Entire absence of local complaint as to the existing hours, 2091. 2102—Necessity in any case of the use of conveyances for bringing voters to the polling places, 2095-2103.

*Presiding Officers.* Statement that, at Leeds, the payment to the presiding officers is 2*l.*, and to each clerk 1*l.*; opinion that refreshments should be supplied to them during their work, *Curwood* 17, 18. 44-48. 169, 170—Difficulty as regards the continuous employment of presiding officers and poll clerks for twelve hours; considerable increase of cost involved, *Sir J. Heron* 2014-2030.

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*Returning Officers.* Objection to the returning officer exercising a discretion as to the hours of polling, *Sir J. Heron* 2057, 2058. 2060, 2061.

Opinion of the Committee adverse to the returning officers being empowered to fix the hours of polling in the case of Parliamentary and municipal elections, *Rep.* iii.

*Riots or Disturbances (Extension of Hours).* Statement that at Leeds the closing of the poll at four o'clock has a tendency to allay excitement and irregularity, which would not be the case if the hours were extended, *Henderson* 382. 391. 393. 400. 457-460. 473-475—Risk of disturbances or rioting at Leeds if the hours were extended to eight o'clock; belief that drunkenness would be increased by such extension, *ib.* 388-396, 453-455. 463-470. 473-475. 480, 481. 504-511.

Non-apprehension of any serious amount of disturbance or rioting at Glasgow in the event of an extension in the evening; necessity for the exercise of increased precautions on the part of the police force, *Sellar* 530. 536, 537. 578, 579. 591-602; *McCall* 683-690. 692-694. 697, 698. 701-706. 712, 713. 720, 721. 753-760. 765-768. 792-794. 801.

Non-objection to extending the hours at Sheffield, on the score of disturbances, especially since the adoption of the ballot system of voting, *Wilson* 1093. 1004. 1060-1064. 1071. 1107, 1108—Belief that there would be much less tendency to disturbance and much less drinking than there is at present, *Sharp* 1864, 1865.

Strong disapproval of conducting any election whatever except by daylight; when there is an excited crowd darkness is a strong incentive to mischief, *Jackson* 1424-1437. 1454-1469. 1472-1474. 1478-1482. 1490-1493. 1518-1528. 1539-1545. 1588-1595—Reasons for concluding that disorder would ensue at Manchester if the poll were open till eight o'clock, although there is no disorder at the declaration of the poll at a later hour, *Sir J. Heron* 1926-1939. 2005-2009—Belief that there would be no greater probability of intimidation and riot if the poll did not close till eight p.m., *Speight* 2453. 2455, 2456. 2500.

Views of the mayors of Liverpool, Plymouth, Ashton-under-Lyne, Kidderminster, and other large boroughs, adverse to an extension of the hours of polling till eight p.m. as likely to promote disturbances, *App.* 128-130.

Conclusion of the mayors of Birmingham, Sunderland, and Halifax, and of the provost of Perth, that disturbances would not result from an extension of the hours, *App.* 128-130.

Considerable majority of those responsible for the maintenance of order who are opposed to an extension of the hours, *Rep.* iii.

See also *Ballot Boxes.* *Declaration of the Poll.* *Glasgow.* *Leeds.* *Liverpool.* *Manchester.* *Police.* *Sheffield.*

*Rochdale.* Views of the mayor adverse to any extension of the hours, *App.* 130. 325.



S.

*Saturday.* See *Newcastle-on-Tyne.*

*School Board Elections.* See *Glasgow.* *Leeds.* *Manchester.* *Sheffield.*

*Sellar, George.* (Analysis of his Evidence.)—Is sheriff clerk of Lanarkshire; assists the returning officer at Parliamentary elections, 522, 523—Considers that if it should be deemed expedient to extend the hours of polling there is no impracticability about it, 524. 551. 623, 624—The only question involved in an extension of the hours is one of expense; opinion that 500 l. would cover the extra expense in a city like Glasgow, 524-527. 574-577. 587-589. 623.

Declaration of the poll at the last general election at Glasgow at twelve o'clock at night, 528. 566. 625-629—Information as to the number of electors at Glasgow, and the number who go to the poll; calculation that upwards of 74 per cent. of the electors record their votes, 529. 546-548. 619, 620—Decided opinion that there would be no danger in regard to disturbance, or as to the purity of elections, if the hours were extended to eight o'clock, provided that proper precautions were taken, 530. 536. 557. 578, 579. 591-602.

Sundry details respecting the School Board elections in Glasgow; reasons for the constituency being larger than that for the Parliamentary election, 531-535. 604-615—Absence of any extraordinary pressure at the poll at any hour during the day of election in Glasgow, 537-539. 552-554. 616-618—Considerable distance which some of the working men in Glasgow would be obliged to travel to record their votes, 540-543. 580, 581. 632.

Meetings held in Glasgow at which the working men have complained as to the hours of polling, 544, 545. 550. 568, 569—Expediency of making the hours of polling, if they are to be extended, the same as in London, 555—Disapproval of the hours being six a.m. to six p.m., 556.

Absence of necessity for an additional number of clerks in the event of an extension of the hours, 558-567. 629-631—Belief that future elections in Glasgow can be conducted more economically than the last, the official expenses of which amounted to 2,402 l. 14 s. 7 d.; 570-573. 582.

Impracticability of giving electors the option of voting in the ward where they carry on their work; opinion that disfranchisement might result in many cases from such arrangement, 632-635. 647-666—Difficulty of a working man selecting the place to vote on account of his frequent changes of residence, 634, 635. 655-660. 663, 664.

Impossibility of taking precautions against personation in the event of working men choosing the place to vote, 636-646—Statement that in certain counties in Scotland a voter may claim to vote at a polling place other than the proper place, but that the privilege is not used to any great extent, 651-653.

*Sharp, William.* (Analysis of his Evidence.)—Is a delegate of the Birkenhead Trades Council, which represents all the trades of that town, 1814-1816—The council is composed of members of different politics, 1817. 1845, 1846—Unanimous resolution passed by the council in favour of an extension of the hours of polling, 1820, 1821.

Considerable inconvenience experienced by witness in recording his vote at past elections; grounds for the opinion that the hours should be extended to eight o'clock, 1822-1844. 1860—Disapproval of closing the works at Birkenhead for half a day to enable the men to vote, 1852-1856. 1861-1863—Belief that if the hours were extended to eight o'clock there would be much less tendency to disturbance and much less drinking than at present, 1864, 1865.

#### **SHEFFIELD:**

Enormous increase of the constituency of Sheffield since the extension of the franchise; there are 40,000 Parliamentary voters, 46,000 municipal voters, and about the same number of voters for the School Board as for the town council, *Wilson* 973-975—The hours of polling for the School Board elections have always been from nine o'clock to four, *ib.* 976-978. 1153-1155—Information as to the long distances which different classes of workmen reside from their place of work, *ib.* 979-982. 1043-1050. 1078.

Impossibility for a large number of the voters to exercise the franchise on account of the present limitation of the hours of polling; frequent complaints made, *Wilson* 983. 989-995. 1051. 1089-1091—Considerable pressure at the booths at the dinner time, from twelve to two o'clock; numerous instances in which voters have come to the booths at this time and have been obliged to go away without voting, *ib.* 996, 997. 1079-1085—Approval of extending the hours to seven o'clock in the evening; belief if this change be made it is probable as many as 5,000 additional electors will go to the poll, *ib.* 999-1002. 1023-1064. 1139. 1169-1172.

Statement

## Report, 1878—continued.

## SHEFFIELD—continued.

Statement that for the School Board elections at Sheffield the regulations are better and the facilities for voting greater than for the Parliamentary elections; desirability of adopting similar facilities in the latter case, *Wilson* 1017-1023. 1055. 1056. 1064-1068 —The legal expenses for the last School Board election amounted to about 700 l., *ib.* 1024-1026.

Information generally in regard to the number of electors in Sheffield and the proportion of working men; difficulty of making any calculation as to the number of working men who are prevented from voting by the closing of the poll at four o'clock, *Wilson* 1038-1042. 1109-1119. 1126-1131. 1192-1200—Unanimous resolutions passed in Brightside ward that vestry meetings should be held at seven in the evening instead of during the dinner time, so as to enable the working men to attend; the attendance now is very much more numerous than before, *ib.* 1116. 1132-1135. 1177-1179.

Information respecting the constitution of the trades council of Sheffield and the manner in which representatives of the trade are elected thereto; the council is in no way a political organisation but advocates an extension of the hours of polling, *Turner* 1204-1208. 1271-1274; *Mallinson* 1320-1322. 1344-1368. 1396-1398—Entire concurrence of witness with the evidence given by Mr. Wilson, *Turner* 1209, 1210—Complaints made by workmen in certain trades that they have been prevented from voting on account of the inconvenience of the present hours; large numbers of electors have, in fact, been unable for the pressure at certain hours to record their votes, *ib.* 1211-1220. 1255, 1256. 1260-1270. 1275, 1276. 1294-1313.

Representations made to the mayor and returning officer in regard to the limitation of the hours for polling in the School Board elections, *Turner* 1224-1226—Calculation that above 5,000 Parliamentary electors are prevented from voting by the present hours who would vote if the hours were extended, *Turner* 1227-1244. 1247. 1251-1254. 1294-1299; *Mallinson* 1406, 1407—Absence of any fear of danger to the public peace from an extension of the hours, *Turner* 1279-1281; *Mallinson* 1340, 1341. 1385-1395 —Keen interest taken by the inhabitants of Sheffield in political affairs, *Turner* 1286, 1287; *Jackson* 1419, 1420.

Grounds for preferring an extension of the hours to eight instead of to seven o'clock in the evening; belief that if this extension were made it would remove the whole difficulty which prevents the working men from recording their votes, *Mallinson* 1320-1323. 1382. 1386-1388. 1393, 1394. 1402, 1403—At the last general election 25,000 persons polled out of a total of 40,000 on the register, *ib.* 1369.

Insignificant amount of disturbance at the recent elections, the last of which was particularly exciting, *Jackson* 1421-1423. 1425-1427. 1584-1587. 1601-1605—Grounds for apprehending disturbances if the hours of polling be extended, *ib.* 1424 *et seq.*—Belief that there is a very strong feeling on the part of the workmen in Sheffield as regards an extension of the hours; admission that considerable difficulty exists for many men to leave their trades during the polling hours, *ib.* 1438-1440. 1445, 1446. 1600—The area of Sheffield is nearly thirty-six square miles and the population is 289,600, *ib.* 1441, 1442—Number of municipal and Parliamentary voters, respectively, *ib.* 1443, 1444.

Suggestions that the municipal and School Board elections should take place at mid-summer and not in November, as at present; opinion that any present change should be confined to those two elections, *Jackson* 1447-1449. 1458, 1459. 1490—Expediency of making the hours for polling at the local elections from twelve at noon to seven in the evening; advisability of extending the hours for these elections before dealing with Parliamentary elections, *ib.* 1447-1449. 1458. 1490. 1493. 1600 —Opinion that at the last general election there were singularly few men remaining at their work; belief that the latter half of an election day is kept very much as a holiday, *ib.* 1450-1453. 1494-1505.

Difficulty of comparing London and Sheffield in regard to the fear of disturbance at elections, on account of the disproportion of the police force at the latter place, *Jackson* 1506—The police force in Sheffield is sufficient generally to prevent danger from rioting, *ib.* 1507—Opinion that there would be no extraordinary pressure round the polling booths at the close of the poll in the evening, *ib.* 1575-1578—Statement that statistics relating to intemperance show that drunkenness is almost less in Sheffield than in any other large town in the kingdom, *ib.* 1586-1596.

Views of the mayor adverse to any extension of the hours, *App.* 130.

See also *Engineers. Police. Working Classes.*

*Speight, James.* (Analysis of his Evidence.)—Representation by witness of the Manchester and Salford Trades' Council, which includes the principal trades in the district, 2424-2427—Resolutions passed by the council in favour of an extension of the hours of polling at elections, 2428-2431—Conviction of witness that a much larger number of electors would have voted in Manchester if there had been an extension of the hours; illustration to this effect at the election of 1868; 2432-2439. 2450, 2451. 2460, 2461. 2465-2471.

Report, 1878—*continued.*

*Speight, James* (Analysis of his Evidence)—*continued.*

Opportunity and practice of witness as to taking a holiday at elections; this is not the general custom at Manchester, 2440-2443. 2472-2474. 2490-2499—Long distances which men in the building trades frequently travel to their work; obstacle to these voting during the present hours, 2444-2449—Expediency of an extension till eight o'clock in the evening, 2450, 2451—Inadequacy of a mere increase of polling places, 2452.

Very little difficulty anticipated in carrying on the poll in the dark hours; sufficient check upon personation, 2453, 2454—Belief that there would be no greater probability of intimidation and riot, if the poll did not close till eight p.m., 2453. 2455, 2456. 2500—Advantage if it were understood that the declaration of the poll should not take place till the following day, 2453. 2500—Tendency of an extension of the hours to prevent the use of vehicles at elections; exceptional instances of voters making any difficulty about walking to the poll, 2456-2459. 2479-2489.

Instance at a municipal election in 1871 of the insufficient opportunities of working men for recording their votes, 2462—Frequent objections of employers to their men being away at election time; loss moreover through machinery standing idle when men absent themselves during working hours, 2472-2476. 2490-2499—More independent exercise of the franchise by an extension of the hours of polling, 2477, 2478.

*Stockport.* Several grounds of objection by the mayor to an extension of the hours of polling in the borough, *App.* 130.

*Sunderland.* Views of the mayor as to the expediency of an extension of the hours, *App.* 130.

## T.

*Town Clerks.* Belief that town clerks in opposing an extension of hours are not actuated by any apprehension lest they should have more work to do, *Sir J. Heron* 1964-1976.

*Turner, James Barber.* (Analysis of his Evidence.)—Has been connected for five years with the Trades Council of Sheffield, and is now secretary, 1201-1203—Information respecting the constitution of the council, which is a non-political society; desire of the council to advocate the extension of the hours of polling so as to enable the working men to record their votes at as small a sacrifice as possible, 1204-1208. 1271-1274.

Entire concurrence of witness in the evidence given by Mr. Wilson, 1209, 1210—Expediency of the hours of polling being extended to seven o'clock, so that all the electors may have a reasonable chance of recording their votes; reasons for concluding that an extension to seven o'clock would be sufficient, 1210. 1221-1223. 1257-1259. 1277.

Complaints made by workmen in certain trades, that they have been prevented from voting on account of the inconvenience of the present hours; large numbers of electors have, in fact, been unable from the pressure at certain hours to record their votes, 1211-1220. 1255, 1256. 1260-1270. 1275, 1276. 1294-1313—Representations made to the mayor and returning officer in regard to the limitation of the hours for polling at the School Board elections, 1224-1226—Calculation that above 5,000 electors are prevented from voting by the present hours who would vote if the hours were extended, 1227-1244. 1247. 1251-1254. 1294-1299.

Feeling on the part of the working men that the State having given them the franchise should also enable them to exercise it without favour or obligation to their employers, 1248-1250—Impossibility of engineers obtaining leave under any circumstances to vote; absolute disfranchisement of these men in consequence of the present hours, 1260-1263. 1268, 1269. 1300-1305—Absence of any fear of danger to the public peace from an extension of the hours, 1279-1281—Opinion that if the declaration of the poll were postponed until the following day it would tend to diminish the danger of disturbance, 1282-1285.

Statement that, as a general rule, the electors of Sheffield take a very keen interest in politics, 1286, 1287—Instance of a number of men having been prevented from voting because the man in charge of the engine would not draw them up out of the pit in the colliery in which they were working, 1288-1293—Disapproval of opening the poll earlier in the morning; impossibility for men to vote who had a long distance to go to their work, 1314-1317.

## U.

*Uniformity.* See *Extension of Hours.*      *Local Authorities.*

## W.

**Wakefield.** Several grounds of objection by the mayor to an extension of the hours of polling in the borough, *App.* 130.

**Wall, Benjamin.** (Analysis of his Evidence.)—Is a travelling draper residing at Madeley, in the borough of Wenlock; took an active part at the last Parliamentary election for the borough, and is well conversant with the district, 2157-2164. 2240-2242—Submits that many of the miners at Madeley, and of the agricultural labourers and working men in the borough generally, are compelled to sacrifice time and wages in going to the poll, 2159. 2165 *et seq.*

Insufficiency of the present hours of polling in the borough; conclusion that by an extension of the hours in the evening, the men would vote without sacrificing time and pay for the purpose, 2159. 2166 *et seq.*—Large proportion of the electors who voted at the last election; expediency however of an extension of the hours, 2165, 2166. 2178-2189. 2198-2201. 2252-2255—Difficulty especially in the case of the miners in the Madeley district, 2166-2182. 2202-2214. 2221-2236.

More interest taken in Parliamentary than in municipal elections in the borough, 2178, 2179. 2188-2196. 2219, 2220—Feeling expressed by miners and others as to the want of an extension of the hours, 2230-2236. 2243-2251.

**Warrington.** Views of the mayor adverse to any extension of the hours, *App.* 130.

**Wenlock.** Sundry particulars relative to the borough, its very extensive area, and the large proportion of the electors who voted at the last election; conclusion that there is no necessity for any alteration of the hours of polling, *Potts* 2091-2114—Entire absence of local complaint as to the existing hours, *ib.* 2091. 2102—Out of 3,492 electors, 3,121 recorded their votes, *ib.* 2092—Necessity in any case of the use of conveyances for bringing voters to the polling places, *ib.* 2095-2103.

Representation on the part of working men in Colebrook Dale, in the borough of Wenlock, as to the loss of time and of wages entailed when they go long distances to the poll at elections for the borough, *Hughes* 2116-2156—Feeling of working men in Colebrook Dale in favour of an extension of the time for polling till eight p.m., *ib.* 2120. 2131, 2132—Instances of men in the Iron Bridge district not going to the poll through objection to sacrifice their time, *ib.* 2124.

Witness submits that many of the miners at Madeley, and of the agricultural labourers and working men in the borough generally, are compelled to sacrifice time and wages in going to the poll, *Wall* 2159. 2165 *et seq.*—Insufficiency of the present hours of polling in the borough; conclusion that by an extension of the hours in the evening the men would vote without sacrificing time and pay for the purpose, *ib.* 2159. 2166—Large proportion of the electors who voted at the last election; expediency, however, of an extension of the hours, *ib.* 2165, 2166. 2178-2189. 2198-2201. 2252-2255—Difficulty especially in the case of the miners in the Madeley district, *ib.* 2166-2182. 2202-2214. 2221-2236.

Long distance which agricultural labourers in Beckbury and Badger have to go in order to vote, *Wall* 2170—More interest taken in Parliamentary than in municipal elections in the borough, *ib.* 2178, 2179. 2188-2196. 2219, 2220—Feeling expressed by miners and others as to the want of an extension of the hours, *ib.* 2230-2236. 2243-2251.

**Wilson, John.** (Analysis of his Evidence.)—Is a member of the Town Council, of the School Board, and several other bodies in Sheffield; is well conversant with the views of the working classes in relation to the hours of polling, 969-972. 1029-1037.

Enormous increase of the constituency of Sheffield since the extension of the franchise; there are 40,000 Parliamentary voters, and 46,000 municipal voters, and about the same number of voters for the School Board as for the town council, 973-975—The hours of polling for the School Board elections have always been from nine o'clock to four, 976-978. 1153-1155.

Information in regard to the distances which different classes of workmen in Sheffield reside from their place of work, 979-982. 1043-1050. 1078—Impossibility for a large number of the voters to exercise the franchise on account of the present limitation of the hours of polling, 983. 989-995. 1089-1091—Violation of the law in carrying voters to the poll in vehicles, now rendered necessary by the shortness of the time allowed for polling; opinion that if the hours were extended this evil would diminish, 984-988. 1092-1094. 1104-1106—Frequent complaints made by electors as to the difficulty experienced in recording their votes on account of the shortness of the time allowed, 993. 1051.

Considerable pressure at the booths at the dinner time, from twelve to two o'clock; numerous instances in which voters have come to the booths at this time and have been obliged to go away without voting, 996, 997. 1079-1085—Inexpediency of increasing the

## Report, 1878—continued.

*Wilson, John.* (Analysis of his Evidence)—continued.

the hours in the morning, 998. 1072-1074—Approval of extending the hours to seven o'clock in the evening; belief if this change be made, it is probable as many as 5,000 additional electors will go to the poll, 999-1002. 1023. 1064. 1139. 1169-1172.

Absence of any objection to extending the hours on the score of disturbances, especially since the adoption of the ballot, 1003, 1004. 1060-1064. 1071. 1107, 1108—Decided advantage in postponing the declaration of the poll to the following day, 1006, 1007. 1059—Opinion that if the hours were extended there would be no danger of voters hanging back to the last half-hour from corrupt motives; this evil obviated by ignorance of the state of the poll, 1008. 1052-1054.

Belief that extension in the evening would involve but very little extra expense, 1009-1015—Statement that for the School Board elections the regulations are better and the facilities for voting greater than for the Parliamentary elections; desirability of adopting similar facilities in the latter case, 1017-1023. 1055, 1056. 1064-1068—Assertion that nothing but extended hours will meet the great want of the artisan population; expediency of making the extension uniform for municipal, School Board, and Parliamentary elections, 1023. 1057, 1058. 1065. 1069-1071.

Statement that the legal expenses for the last School Board election amounted to about 700 l.; 1024-1026—Information generally in regard to the number of electors in Sheffield, and the proportion of working men; difficulty in making any calculation as to the number of working men who are prevented from voting by the closing of the poll at four o'clock, 1038-1042. 1109-1119. 1126-1131. 1192-1200.

Special difficulties in some particular trades which prevent the workmen exercising their votes on account of inability to leave their work; many cases in which serious loss would be entailed on the employer if the men left their work even for a short interval, 1049. 1075-1077. 1099, 1100. 1136, 1137. 1140. 1182-1188—Decided opinion against permitting voters to select a polling place other than where they reside; it would be impracticable to prevent personation, 1095-1098. 1122-1125. 1138. 1141-1148.

Belief that the great majority of the electors would be quite willing to undergo a considerable sacrifice of time if they could thereby exercise their right of voting, 1101-1103. 1156-1168. 1175, 1176. 1189-1191—Unanimous resolution passed in Brightside Ward that vestry meetings should be held at seven in the evening, instead of during the dinner time, so as to enable the working men to attend; the attendance now is very much more numerous than before, 1116. 1132-1135. 1177-1179—Assertion that at the present time it is easier for an idle workman to record his vote than for an industrious man, who may have to sacrifice both himself and others, 1160-1168. 1180-1188.

*Wolverhampton.* Several grounds of objection by the mayor to any extension of the hours, *App.* 130.

#### WORKING CLASSES:

Decided opinion that considerable numbers of electors, as at Leeds, are prevented from voting by reason of the limitation of the hours of polling; in many cases they could exercise the right, if they were willing to sacrifice some of their time, *Curwood* 20-23—The greatest time of pressure is at mid-day, the dinner hour of the work people; belief that many abstain from voting at this hour on account of not being able to get in to the booths, *ib.* 20. 36-38. 85, 86—Statement that a large number of workmen in Leeds are practically disfranchised by the inconvenience of the present hours, *Finnie* 202-204. 219-221. 352-354. 361-376—Impossibility for the general class of working men, as at Leeds, to get home to their dinner, go to the poll, and back to their work within one hour, *ib.* 318.

Conclusion that if the hours at Leeds be extended to eight o'clock the great pressure would be towards the close of the poll, *Henderson* 395, 396. 409-411—Belief that if the hours at Glasgow be extended to eight o'clock a great number of working men, but not the great bulk of them, would vote between six and eight, *McCall* 709-711—Opinion that if the hours of polling at Glasgow were extended the majority of the working men would vote between five and eight o'clock; the men who could vote in meal hours would do so still, and those only who cannot at present vote would vote in the evening, *Kennedy* 826-828—If the hours of polling are extended to eight o'clock the working man will be perfectly free to exercise his right of voting without loss to himself or other people, *ib.* 881, 882.

Statement that in the printing trade at Glasgow the men are debarred from voting under the present system; approval of extending the hours for polling to eight o'clock for the benefit of the working classes generally, *Battersby* 944-956—Belief that the great majority of the electors of Sheffield would be quite willing to undergo a considerable sacrifice of time if they could thereby exercise their right of voting, *Wilson* 1101-1103. 1156-1168. 1175, 1176. 1189-1191—Assertion that at the present time it is easier for an idle workman to record his vote than for an industrious man, who may have to sacrifice both himself and others, *ib.* 1160-1168. 1180, 1181.

Feeling

Report, 1878—continued.

**WORKING CLASSES**—continued.

Feeling on the part of the working men of Sheffield that the State having given them the franchise should also enable them to exercise it without favour or obligation to their employers, *Turner* 1248-1250—Difficulties which prevent workmen at Sheffield recording their votes even if willing to do so at a considerable sacrifice; opinion that men should not be called upon to make unnecessary sacrifices in the discharge of public duty, *Mallinson* 1371-1378. 1389-1392. 1404, 1405—Belief that a large majority of the workmen, as at Sheffield, would vote between four and eight in the evening, *Jackson* 1562.

Statement that a considerable number of electors at Leeds, especially in the building trades, are practically disfranchised by the present hours of polling; difficulty also in railway employes getting away from their work for the purpose of voting, *Manton* 1622. 1631. 1652-1658. 1676, 1677. 1705, 1706—Workmen at Liverpool are practically disfranchised by the present hours, *Fitzpatrick* 1878—Considerable inconvenience experienced by witness in recording his vote at past elections for Birkenhead; grounds for the opinion that the hours should be extended to eight o'clock, *Sharp* 1822-1844. 1860.

Sufficient facilities of working men, as at Manchester, for polling during the present hours, *Sir J. Heron* 1885. 1981-1985. 1997, 1998. 2002-2004. 2034-2050—The time spent by the working classes in smoking their pipes after dinner would more than suffice to enable them to record their votes, *ib.* 1885.

Entire inadequacy of the opportunities of the working men at Manchester for recording their votes, *Speight* 2432 *et seq.*; *Ball* 2515-2519—More independent exercise of the franchise by an extension of the hours of polling, *Speight* 2477, 2478—Denial of Sir Joseph Heron's statement that the time spent by working men in smoking their pipes during the dinner hour would give ample opportunity for their voting, *Ball* 2523, 2524.

Conclusion arrived at by the Committee from the evidence that in certain cases, owing to the large extent of the boundaries of the constituency, or to the local circumstances of trade, and the distance at which men work from their homes, artizans have been prevented from recording their votes, and have been put to inconvenience or pecuniary loss in order to record them, *Rep.* iii.

See also <i>Building Trades.</i>	<i>Employers.</i>	<i>Engineers.</i>	<i>Extension of Hours.</i>
<i>Glasgow.</i>	<i>Holidays.</i>	<i>Leeds.</i>	<i>Liverpool.</i>
<i>Morpeth.</i>	<i>Sheffield.</i>	<i>Wenlock.</i>	<i>Manchester.</i>
			<i>Miners.</i>







I N D E X

TO THE

R E P O R T

FROM THE

SELECT COMMITTEE

ON

PARLIAMENTARY AND MUNICIPAL  
ELECTIONS  
(HOURS OF POLLING).

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*Ordered, by The House of Commons, to be Printed,  
30 July 1878.*

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325.

*Under 3 oz.*

# R E P O R T S

FROM THE

SELECT COMMITTEE

ON

## PARLIAMENTARY AND MUNICIPAL REGISTRATION BILL;

WITH THE

PROCEEDINGS OF THE COMMITTEE.

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*Ordered, by The House of Commons, to be Printed,  
3 June 1878.*

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*Ordered*,—[ *Thursday, 24th January 1878* ]—THAT the PARLIAMENTARY AND MUNICIPAL REGISTRATION BILL be read a second time, and committed to a Select Committee.

*Ordered*,—[ *Friday, 25th January 1878* ]—THAT the Committee do consist of Twenty-one Members.

Committee nominated of—

Mr Attorney General.  
The Lord Advocate.  
Mr. Birley.  
Mr. Boord.  
Mr. Cotes.  
Sir Charles Dilke.  
Mr. Dodds.  
Mr. Floyer.  
Mr. Gourley.  
Mr. Hamond.  
Mr. Hibbert.

Mr. Rowley Hill.  
Mr. Isaac.  
Mr. Charles Lewis.  
Mr. Meldon.  
The O'Donoghue.  
Mr. Rathbone.  
Mr. Ryder.  
Mr. Serjeant Simon.  
Mr. Torr.  
Mr. Alfred Marten.

THAT Five be the Quorum of the Committee.

*Ordered*,—[ *Thursday, 31st January 1878* ]—THAT the Report of the Select Committee on Registration of Voters (1869) be referred to the Committee.

*Ordered*,—[ *Monday, 11th February 1878* ]—THAT the Parliamentary Electors Registration Bill and the Borough Voters Bill be read a second time, and committed to the Committee.

*Ordered*,—[ *Thursday, 28th February 1878* ]—THAT the Committee have power to consolidate the three Bills referred to them, namely, the Parliamentary and Municipal Registration Bill, the Parliamentary Electors Registration Bill, and the Borough Voters Bill.

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## **R E P O R T**

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### **PARLIAMENTARY AND MUNICIPAL REGISTRATION (CONSOLIDATED) BILL.**

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THE SELECT COMMITTEE to whom the PARLIAMENTARY AND MUNICIPAL REGISTRATION BILL, the BOROUGH VOTERS BILL, and the PARLIAMENTARY ELECTORS REGISTRATION BILL were referred, and who were instructed that they have power to consolidate the said Bills into one BILL;—  
HAVE consolidated the BOROUGH VOTERS BILL and the PARLIAMENTARY AND MUNICIPAL REGISTRATION BILL into one Bill “to amend the Law relating to the Registration of Voters in Parliamentary Boroughs, and the Enrolment of Burgesses in Municipal Boroughs, and relating to certain Rights of Voting and Proceedings before and Appeals from Revising Barristers,” and have gone through the Bill, and made Amendments thereto.

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## **S P E C I A L R E P O R T.**

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### **PARLIAMENTARY ELECTORS REGISTRATION BILL.**

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THE SELECT COMMITTEE to whom the PARLIAMENTARY AND MUNICIPAL REGISTRATION BILL, the BOROUGH VOTERS BILL, and the PARLIAMENTARY ELECTORS REGISTRATION BILL were referred;—HAVE agreed to the following SPECIAL REPORT as regards the PARLIAMENTARY ELECTORS REGISTRATION BILL:—

THAT your Committee having incorporated in the Consolidated Bill certain provisions of the Parliamentary Electors Registration Bill with modifications, have not further considered the said Bill.

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## **R E P O R T.**

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### **PARLIAMENTARY ELECTORS REGISTRATION BILL.**

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THE SELECT COMMITTEE to whom the PARLIAMENTARY ELECTORS REGISTRATION BILL was referred—HAVE agreed to report the same, without amendment.

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## PROCEEDINGS OF THE COMMITTEE.

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*Wednesday, 30th January 1878.*

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### MEMBERS PRESENT:

Mr. Alfred Marten.  
Mr. Hamond.  
Mr. Gourley.  
Sir Charles Dilke.  
Mr. Rathbone.  
Mr. Birley.

Mr. Boord.  
Mr. Dodds.  
Mr. Hibbert.  
Mr. Rowley Hill.  
Mr. Ryder.

Mr. ALFRED MARTEN was called to the Chair.

The Committee deliberated.

[Adjourned till Wednesday, 13th February, at Two o'clock.]

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*Wednesday, 13th February 1878.*

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### MEMBERS PRESENT:

Mr. ALFRED MARTEN in the Chair.

Mr. Charles Lewis.  
Mr. Boord.  
Mr. Torr.  
Sir Charles Dilke.  
Mr. Rathbone.  
Mr. Cotes.

Mr. Hibbert.  
Mr. Hamond.  
Mr. Serjeant Simon.  
Mr. Ryder.  
Mr. Rowley Hill.

The Committee deliberated.

[Adjourned till Wednesday, 27th February, at Two o'clock.]

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*Wednesday, 27th February 1878.*

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### MEMBERS PRESENT:

Mr. ALFRED MARTEN in the Chair.

Mr. Hibbert.  
Mr. Torr.  
Mr. Birley.  
Sir Charles Dilke.  
Mr. Rathbone.  
Mr. Boord.  
Mr. Serjeant Simon.

Mr. Hamond.  
Mr. Ryder.  
Mr. Dodds.  
Mr. Isaac.  
Mr. Cotes.  
Mr. Gourley.  
Mr. Floyer.

Motion made, and Question proposed, "That the Committee take into consideration the Parliamentary and Municipal Registration Bill"—(Mr. Dodds).—Amendment proposed to

to leave out the words "Parliamentary and Municipal Registration," in order to insert the words "Borough Voters"—(Mr. *Hibbert*)—instead thereof.—Question put, "That the words proposed to be left out stand part of the Question."—The Committee divided :

Ayes, 6.	Noes, 7.
Mr. Birley.	Mr. Boord.
Mr. Dodds.	Mr. Cotes.
Mr. Gourley.	Sir Charles Dilke.
Mr. Hamond.	Mr. Hibbert.
Mr. Isaac.	Mr. Rathbone.
Mr. Torr.	Mr. Ryder.
	Mr. Serjeant Simon.

Words "Borough Voters" inserted.—Main Question, as amended,—put, and *agreed to*.

The Committee deliberated.

[Adjourned till Wednesday next, at Two o'clock.]

*Wednesday, 6th March 1878.*

MEMBERS PRESENT :

Mr. ALFRED MARTEN in the Chair.

Mr. Birley.	Mr. Rathbone.
Mr. Floyer.	Mr. Serjeant Simon.
Mr. Isaac.	Mr. Hamond.
Mr. Rowley Hill.	Mr. Torr.
Sir Charles Dilke.	Mr. Charles Lewis.
Mr. Cotes.	Mr. Hibbert.
Mr. Ryder.	

The Committee deliberated.

[Adjourned till Wednesday next, at One o'clock.]

*Wednesday, 13th March 1878.*

MEMBERS PRESENT :

Mr. ALFRED MARTEN in the Chair.

Mr. Hibbert.	Mr. Ryder.
Mr. Torr.	Sir Charles Dilke.
Mr. Rowley Hill.	Mr. Isaac.
Mr. Floyer.	Mr. Charles Lewis.
Mr. Hamond.	Mr. Rathbone.
Mr. Dodds.	Mr. Boord.
Mr. Serjeant Simon.	Mr. Cotes.

Motion made, and Question proposed, That "The lists and each division thereof may, according to convenience for use, be framed in parts for polling districts or wards, and where the polling districts and wards are not conterminous, in such manner that the parts may be conveniently compiled or put together to serve either as lists for polling districts  
212. a 3 or



or as ward lists."—Amendment proposed in line 1, after the word "may" to insert the words "and shall, if and so far as the Council of the Borough shall from time to time direct"—(Mr. Rathbone).

. Question put, That those words be there inserted.—The Committee divided :

Ayes, 8.  
Mr. Boord.  
Sir Charles Dilke.  
Mr. Dodds.  
Mr. Hibbert.  
Mr. Rowley Hill.  
Mr. Charles Lewis.  
Mr. Rathbone.  
Mr. Torr.

Noes, 5.  
Mr. Cotes.  
Mr. Floyer.  
Mr. Hamond.  
Mr. Isaac.  
Mr. Ryder.

Main Question, as amended, put.—The Committee divided :

Ayes, 12.  
Mr. Boord.  
Mr. Cotes.  
Sir Charles Dilke.  
Mr. Dodds.  
Mr. Floyer.  
Mr. Hamond.  
Mr. Hibbert.  
Mr. Rowley Hill.  
Mr. Isaac.  
Mr. Rathbone.  
Mr. Ryder.  
Mr. Torr.

Noe, 1.  
Mr. Charles Lewis.

*Resolved*, That the lists, and each division thereof, may, and shall, if and so far as the Council of the Borough shall from time to time direct, according to convenience for use, be framed in parts for polling districts or wards, and where the polling districts and wards are not conterminous, in such manner that the parts may be conveniently compiled or put together to serve either as lists for polling districts, or as ward lists.

Motion made, and Question proposed, "That the last day for revising a Burgess list made out under this Act shall be the Fifteenth day of October."—Amendment proposed, to omit the word "Fifteenth," in order to insert the word "Tenth"—(Mr. Rathbone)—instead thereof.—Question, That the word "Fifteenth" stand part of the Question,—put, and *negatived*.

Question proposed, That the word "Tenth" be inserted instead thereof :—Whereupon Amendment proposed to the proposed Amendment, to insert the word "Twelfth"—(Mr. Hibbert)—instead thereof.—Question put, That the word "Tenth" be there inserted.—The Committee divided :

Ayes, 5.  
Mr. Cotes.  
Mr. Dodds.  
Mr. Rowley Hill.  
Mr. Rathbone.  
Mr. Ryder.

Noes, 7.  
Mr. Boord.  
Sir Charles Dilke.  
Mr. Floyer.  
Mr. Hamond.  
Mr. Hibbert.  
Mr. Isaac.  
Mr. Charles Lewis.

The word "Twelfth" inserted.

Main Question, as amended,—put,—*Resolved*,—That the last day for revising a Burgess list made out under this Act shall be the Twelfth day of October.

[Adjourned till Wednesday next, at One o'clock.]

*Wednesday, 20th March 1878.*

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## MEMBERS PRESENT:

Mr. ALFRED MARTEN in the Chair.

Mr. Hibbert.  
Mr. Torr.  
Mr. Gourley.  
Mr. Hamond.  
Mr. Rowley Hill.  
Sir Charles Dilke.  
Mr. Cotes.

Mr. Birley.  
Mr. Boord.  
Mr. Rathbone.  
Mr. Isaac.  
Mr. Floyer.  
Mr. Charles Lewis.

The Committee deliberated.

[Adjourned till Wednesday next, at One o'clock.]

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*Wednesday, 27th March 1878.*

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## MEMBERS PRESENT:

Mr. ALFRED MARTEN in the Chair.

Mr. Hibbert.  
Sir Charles Dilke.  
Mr. Boord.  
Mr. Rathbone.

Mr. Floyer.  
Mr. Birley.  
Mr. Torr.  
Mr. Gourley.

The Committee deliberated.

[Adjourned till Wednesday next, at One o'clock.]

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*Wednesday, 3rd April 1878.*

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## MEMBERS PRESENT:

Mr. ALFRED MARTEN in the Chair.

Sir Charles Dilke.  
Mr. Torr.  
Mr. Rowley Hill.  
Mr. Birley.  
Mr. Rathbone.  
Mr. Cotes.

Mr. Boord.  
Mr. Floyer.  
Mr. Dodds.  
Mr. Gourley.  
Mr. Hamond.

The Committee deliberated.

[Adjourned till Wednesday 15th May, at One o'clock.]

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*Wednesday, 15th May 1878.*

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## MEMBERS PRESENT:

Mr. ALFRED MARTEN in the Chair.

Mr. Boord.  
Mr. Torr.  
Sir Charles Dilke.

Mr. Rathbone.  
Mr. Dodds.  
Mr. Floyer.

The Committee deliberated.

[Adjourned till Wednesday 29th May, at One o'clock.]

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*Wednesday, 29th May 1878.*

MEMBERS PRESENT:

Mr. ALFRED MARTEN in the Chair.

Mr. Boord.  
Mr. Dodds.  
Mr. Meldon.  
Mr. Rathbone.  
Mr. Rowley Hill.  
Mr. Birley.

Sir Charles Dilke.  
Mr. Cotes.  
Mr. Torr.  
Mr. Hibbert.  
Mr. Floyer.  
Mr. Hamond.

Instruction of the House of the 28th of February read as follows: That the Select Committee have power to consolidate the three Bills referred to that Committee, namely, the Parliamentary and Municipal Registration Bill, the Parliamentary Electors Registration Bill, and Borough Voters Bill.

Motion made, and Question, "That the Borough Voters Bill, and the Parliamentary and Municipal Registration Bill, be consolidated into one Bill,"—put, and *agreed to*.

PROPOSED CONSOLIDATED BILL brought up, and read, as follows:—

A BILL to Amend the LAW relating to the REGISTRATION of VOTERS in PARLIAMENTARY BOROUGHs and the ENROLMENT of BURGESSES in MUNICIPAL BOROUGHs and relating to certain Rights of VOTING and PROCEEDINGS before and APPEALS from REVISING BARRISTERS.

BE it enacted by the Queen's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

Short Titles.

1. This Act may be cited as the Parliamentary and Municipal Registration Act 1878.

The Acts referred to in this Act by short titles may be cited for all purposes by those titles respectively.

Extent of Act.

2. This Act shall not extend to Scotland or Ireland.

Commencement of Act.

3. This Act shall come into operation on the *First day of February One thousand Eight hundred and Seventy-nine* which date is in this Act referred to as the commencement of this Act.

Definitions.

4. In this Act

The term "Reform Act 1832" means the Act of the Session of the Second and Third years of the reign of King William the Fourth chapter Forty-five "To Amend the Representation of the People in England and Wales:"

5 & 6 Will. 4, c. 76.  
40 & 41 Vict. c. 69.

The term "Municipal Corporation Acts" means the Municipal Corporation Act 1835 and the Acts amending the same:

The term "Parliamentary Registration Act 1843" means the Act of the Session of the Sixth and Seventh years of the reign of Her present Majesty chapter Eighteen "To amend the Law for the Registration of Persons entitled to Vote and to define certain Rights of Voting and to regulate certain Proceedings in the Election of Members to serve in Parliament for England and Wales:

The term "Parliamentary Registration Acts" means the Parliamentary Registration Act 1843 and any enactment amending the same or otherwise relating to the registration of Parliamentary electors:

The term "Parliamentary borough" means any borough city county of a city county of a town place or combination of places returning a Member or Members to serve in Parliament and not being a county at large or riding part or division of a county at large:

The term "Municipal borough" means any place for the time being subject to the Municipal Corporation Acts:

The term "Parliamentary voter" means a person entitled to be registered as a voter and when registered to vote at the election of a Member or Members to serve in Parliament for a Parliamentary borough:

The term "burgess" has the same meaning as in the Municipal Corporation Acts:

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The term "parish" means a place for which a separate poor rate is or can be made or for which a separate overseer is or can be appointed:

Other terms used in this Act have the same meaning as in the Parliamentary Registration Acts.

5. In and for the purposes of the Reform Act 1832 and the Municipal Corporation Acts the terms "house warehouse counting-house shop or other building" shall include any part of a house where that part is separately occupied for the purpose of any trade business or profession and any such part may for the purpose of describing the qualification be described as "office" "chambers" "studio" or by any like term applicable to the case.

Explanation of terms "house" &c. 2 & 3 Will. 4, c. 45, s. 27. 32 & 33 Vict. c. 55, s. 1.

In and for the purposes of the Representation of the People Act 1867 the term "dwelling-house" shall include any part of a house where that part is separately occupied as a dwelling and the term "lodgings" shall include any apartments or place of residence whether furnished or unfurnished in a dwelling-house.

30 & 31 Vict. c. 102. "Dwelling-house." "Lodgings."

For the purposes of any of the Acts referred to in this section where an occupier is entitled to the sole and exclusive use of any part of a house that part shall not be deemed to be occupied otherwise than separately by reason only that the occupier is entitled to the joint use of some other part.

Separate occupation of part notwithstanding joint occupation of other part.

The interpretation contained in this section of "dwelling-house" shall be in substitution for the interpretation thereof contained in Section 61 of the Representation of the People Act 1867 but not so as to affect any of the other provisions of the said Act relating to rating.

- 6.—(1.) Lodgings occupied by a person in any year or two successive years shall not be deemed to be different lodgings by reason only that in that year or in either of those years he has occupied some other rooms or place in addition to his original lodgings.
- (2.) For the purpose of qualifying a lodger to vote the occupation in immediate succession of different lodgings of the requisite value in the same house shall have the same effect as continued occupation of the same lodgings.
- (3.) Where lodgings are jointly occupied by more than one lodger and the clear yearly value of the lodgings if let unfurnished is of an amount which when divided by the number of the lodgers gives a sum of not less than *Ten* pounds for each lodger then each lodger if otherwise qualified and subject to the conditions of the Representation of the People Act 1867 shall be entitled to be registered and when registered to vote as a lodger provided that not more than *Two* persons being such joint lodgers shall be entitled to be registered in respect of such lodgings.

Additional lodgings.

Successive lodgings in the same house.

Joint occupation of lodgings.

7. In every Parliamentary borough and in every municipal borough every period of qualification for Parliamentary voters and burgesses respectively which is now computed by reference to the last day of *July* shall instead of being so computed be computed by reference to the *Fifteenth* day of *July*.

Period of qualification. 2 & 3 Will. 4, c. 45, ss. 27, 28, 31, 32, 33, 34, 36. 6 Vict. c. 18, s. 75. 30 & 31 Vict. c. 102, ss. 3, 4. 32 & 33 Vict. c. 55, s. 1.

The term "period of qualification" in this section shall include any period of occupation residence possession receipt of rents and profits and non-receipt of parochial relief or other alms.

8. In every Parliamentary borough and in every municipal borough the whole or part of the area whereof is co-extensive with or included in the area of a Parliamentary borough the Forms in the Schedule to this Act or Forms to the like effect varied as circumstances require shall be used for the purposes for which the same are applicable respectively and shall for the purposes of the Parliamentary Registration Acts and this Act be deemed to be substituted for any corresponding Forms in the Schedules to the Parliamentary Registration Acts.

Forms relating to registration in Parliamentary boroughs and burgess lists in certain municipal boroughs.

The said Schedule and the notes thereto shall be construed and have effect as if enacted in the body of this Act.

All precepts instructions proceedings notices and lists relating to the registration of Parliamentary voters or enrolment of burgesses shall be expressed in such manner and form as may be necessary to carry the provisions of this Act into effect.

9. In every Parliamentary borough and in every municipal borough the whole or part of the area whereof is co-extensive with or included in the area of a Parliamentary borough any notice or list which is by the Parliamentary Registration Acts or this Act directed to be published by overseers shall be published by them not only in the manner directed by those Acts but also by being affixed and kept in some public and conspicuous position in or near every post office and telegraph office occupied by or on behalf of Her Majesty's Postmaster General and in or near every public or municipal or parochial office within the parish to which the list relates.

Publication of notices and lists in post and telegraph offices &c.

All the provisions of those Acts with respect to the publication of notices or lists shall apply to the publication to be made under this section.

10. Where the whole or part of the area of a municipal borough is co-extensive with or included in the area of a Parliamentary borough Section Eleven of the Parliamentary

Notice of rates in arrears.

6 Vict. c. 18, s. 11.  
30 & 31 Vict. c. 102,  
s. 28.

Registration Act 1843 and Section Twenty-eight of the Representation of the People Act 1867 (which relate to the notices to be published and given with respect to rates and taxes in arrear) shall as amended by this Act extend with the necessary modifications to the rates of which the payment is required as a condition of enrolment on the burgess roll and all the provisions of those sections as so amended shall apply to the overseers of parishes situate wholly or partly in a municipal borough accordingly.

Any notice required to be given under this section shall be deemed to be duly given if delivered to the occupier or left at his last or usual place of abode or with some person on the premises in respect of which the rate is payable.

In case no such person can be found then the notice required to be given under this section or under Section Twenty-eight of the Representation of the People Act 1867 shall be deemed to be duly given if affixed upon some conspicuous part of the premises.

Any overseer who with intent to keep an occupier off the list or register of voters for a Parliamentary borough or off the burgess lists or burgess roll of a municipal borough shall wilfully withhold any notice required by this section to be given to such occupier shall be deemed guilty of a breach of duty in the execution of this Act.

30 & 31 Vict. c. 102,  
s. 29.

Section Twenty-nine of the "Representation of the People Act 1867" shall extend and be applicable to every parish situate wholly or partly within a municipal borough whose burgess lists are revised under this Act.

Registrars to furnish returns of deaths to overseers.

11. Every registrar of births and deaths whose sub-district includes the whole or part of any Parliamentary borough or any municipal borough the whole or part of the area whereof is co-extensive with or included in the area of a Parliamentary borough shall transmit by post or otherwise to the overseers of every parish the whole or any part of which is included in the Parliamentary borough or municipal borough and also in his sub-district a return certified under his hand to be a true return of the names ages and residences of all male persons of full age dying within that parish or part and also when and as required by those overseers of the names ages and residences of all women of full age dying within that parish or part.

The returns shall state the names of all such persons in full (where the names are known) and the dates of their deaths and the names and residences of the persons by whom information of the deaths were given to the registrar.

The returns shall be made four times a year that is to say :

On or before the *Seventh* day of *April* for the Three months ending with the preceding *Thirty-first* day of *March* :

On or before the *Twenty-second* day of *July* for the period beginning with the preceding *First* day of *April* and ending with the *Fifteenth* day of *July* :

On or before the *Fifteenth* day of *September* or at such other time before the completion of the revision of the lists of the Parliamentary borough or municipal borough to the area of which the return relates as the barrister revising the same shall appoint in that behalf for the period beginning with the preceding *Sixteenth* day of *July* and ending with the time when such return is made or as near thereto as practicable :

And on or before the *Seventh* day of *January* for the period beginning with the preceding *Fifteenth* day of *September* or from the time for which the last preceding return was made and ending the *Thirty-first* day of *December*.

37 & 38 Vict. c. 88,  
s. 28.

The registrar making any such return shall be entitled to fees at the rate specified in the Twenty-eighth Section of the Births and Deaths Registration Act 1874 in respect of the returns therein mentioned and such fees shall be paid by the overseers as part of the expenses of carrying into effect the provisions of this Act with respect to the lists of Parliamentary voters and burgess lists.

The overseers shall omit from any list made by them the name of any person who appears from such returns to be dead and shall allow any person who is registered as a Parliamentary voter of the Parliamentary borough or enrolled as a burgess of the municipal borough to which the returns relate to inspect any such returns in their custody at all reasonable times.

List of persons disqualified by parochial relief.

12. The overseers of every parish situate wholly or partly either in a Parliamentary borough or in a municipal borough the whole or part of the area whereof is co-extensive with or included in the area of a Parliamentary borough shall ascertain from the relieving officer acting for that parish the names of all persons who are disqualified for being inserted in the lists of Parliamentary voters or burgess lists for that parish by reason of having received parochial relief and the relieving officer upon application from the overseers shall produce to them at such place within the parish and at such time as is required by them the books in his possession containing the names of those persons.

Inspection of rate books.

13. In every parish situate wholly or partly either in a Parliamentary borough or in a municipal borough the whole or part of the area whereof is co-extensive with or included in the area of a Parliamentary borough the books containing the poor rates made for the parish within the previous Two years shall at all reasonable times be open to the inspection of any registered Parliamentary elector for the Parliamentary borough and of any burgess of the municipal borough and any such elector or burgess may make any copy thereof or take any extract therefrom.

14. Whereas

**14.** Whereas by Section 19 of the Poor Rate Assessment and Collection Act 1869 the overseers in making out the poor rate are required in every case whether the rate is collected from the owner or occupier or the owner is liable to the payment of the rate instead of the occupier to enter in the occupier's column of the rate book the name of the occupier of every rateable hereditament and it is thereby declared that every such occupier shall be deemed to be duly rated for any qualification or franchise as therein mentioned and whereas doubts have been entertained as to the application of this enactment and it is expedient to remove them Be it therefore enacted that the recited enactment shall not be deemed to apply exclusively to cases where an agreement has been made under Section 3 of the same Act or where an order has been made under Section 4 of the same Act but shall be of general application.

Explanation of 32 & 33 Vict. c. 41, s. 19, as to entering occupier's name on rate book.

**15.** Where the whole or part of the area of a municipal borough is co-extensive with or included in the area of a Parliamentary borough the lists of Parliamentary voters and the burgess lists shall so far as practicable be made out and revised together.

Preparation of lists of Parliamentary voters and burgess lists together in certain cases.

In every such case the overseers of every parish situate wholly or partly either in the Parliamentary borough or in the municipal borough shall on or before the *last day of July* in every year make out a list of all persons entitled under any right conferred by the Reform Act 1832 or by Section 3 of the Representation of the People Act 1867 to be registered as voters for the Parliamentary borough in respect of the occupation of property situate wholly or partly within that parish or entitled to be enrolled as burgesses of the municipal borough in respect of the occupation of any property so situate.

With respect to every list so made out the following provisions shall have effect :

- (1.) The lists shall be in substitution for the lists of persons so entitled which are required to be made out under the Parliamentary Registration Acts and the Municipal Corporation Acts.
- (2.) Where the parish is situate wholly or partly both in the Parliamentary borough and in the municipal borough the list for the parish shall be made out in Three divisions :  
 Division One shall comprise the names of the persons entitled both to be registered as Parliamentary voters under a right conferred as aforesaid and to be enrolled as burgesses.  
 Division Two shall comprise the names of the persons entitled to be registered as Parliamentary voters under a right conferred as aforesaid but not to be enrolled as burgesses.  
 Division Three shall comprise the names of the persons entitled to be enrolled as burgesses but not to be registered as Parliamentary voters under a right conferred as aforesaid.
- (3.) Each list shall state the surname and other name or names of every person whose name is inserted therein his place of abode the nature of his qualification and the situation and description of the property in respect of which he is entitled.
- (4.) Each list shall be signed and otherwise dealt with in manner directed by the Parliamentary Registration Acts with respect to the alphabetical lists mentioned in Section Thirteen of the Parliamentary Registration Act 1843.
- (5.) Where no part of the parish is situate within the municipal borough the list for the parish shall be deemed to be a list of voters for the Parliamentary borough.
- (6.) Where no part of the parish is situate within the Parliamentary borough the list for the parish shall be deemed to be a burgess list for the municipal borough.
- (7.) Where the list is made out in divisions Divisions One and Two shall be deemed to be lists of voters for the Parliamentary borough and Divisions One and Three shall be deemed to be burgess lists for the municipal borough.
- (8.) The lists and if the lists are made out in divisions each division thereof shall if and so far as the local authority from time to time direct according to convenience for use be framed in parts for polling districts or wards and where the polling districts and wards are not conterminous in such manner that the parts may be conveniently compiled or put together to serve either as lists for polling districts or as ward lists.

**16.** In the case of any Parliamentary borough in which any persons are entitled to be registered as freemen or under any right other than a right conferred by the Reform Act 1832 or the Third Section of the Representation of the People Act 1867 the registration of such persons shall be carried out in the manner directed by the Parliamentary Registration Acts as modified by this Act.

Freemen's and other rights.

**17.** In the case of a Parliamentary borough which includes in whole or in part more municipal boroughs than one each such municipal borough shall for the purposes of this Act be dealt with separately and as if each were the only municipal borough included in whole or in part in such Parliamentary borough and if any parish is partly in one

Provision where several municipal boroughs included in one Parliamentary borough.

and partly in another or others of such municipal boroughs so much thereof as is in any one of such municipal boroughs shall for the purposes of this Act be dealt with as a separate parish.

31 & 32 Vict. c. 58,  
s. 18.

The town clerk of each such municipal borough shall so far as regards the area of such municipal borough issue the precepts and perform the other duties to be performed by the town clerk under and shall be the town clerk for the purposes of the Parliamentary Registration Acts and this Act.

Application of Parliamentary Registration Acts to burgess lists made out under this Act.

18. The Municipal Corporation Acts shall not as to anything prior to the completion of the revision of the burgess lists apply to any burgess list made out under this Act and instead thereof the Parliamentary Registration Acts as modified by this Act shall up to the completion of the revision of the burgess lists apply to every such burgess list as if it were a list of Parliamentary voters made out under those Acts and as if the municipal borough to which such burgess lists relate were a Parliamentary borough Provided as follows :

- (1.) Nothing in this Act shall authorise a person entered on a burgess list not being also entered on a list of Parliamentary voters to make any objection in respect of a list of Parliamentary voters or authorise any person entered on a list of Parliamentary voters not being also entered on a burgess list to make any objection in respect of a burgess list ;
- (2.) The last day for revising a burgess list made out under this Act shall be the *Twelfth day of October* ; and
- (3.) The burgess lists when revised shall be copied for the burgess roll in manner manner directed by the Municipal Corporation Acts.

Lists of persons qualified to be aldermen or councillors but not to be burgesses.  
See 32 & 33 Vict. c. 55, s. 3.

19. Where the whole or part of the area of a municipal borough is co-extensive with or included in the area of a Parliamentary borough the separate lists of the persons entitled to be elected councillors or aldermen of the municipal borough though not entitled to be on the burgess roll shall be made out at the same time and in the same manner as the burgess lists and all the provisions of this Act with respect to the burgess lists shall apply to those separate lists.

Abolition of assessors in certain municipal boroughs.

20. After the commencement of this Act assessors shall not be elected in any municipal borough which as regards the whole or part of its area is co-extensive with or included in the area of a Parliamentary borough and any assessors elected in any such municipal borough before the commencement of this Act shall cease to hold office upon the commencement of this Act.

Lists and registers may be arranged according to streets.

21. If and so far as the local authority so direct the lists of Parliamentary voters and registers of Parliamentary voters in Parliamentary boroughs and the burgess lists and burgess rolls in municipal boroughs and the lists of claimants and persons objected to in Parliamentary boroughs and municipal boroughs respectively or any of those documents shall so far as they relate to persons qualified in respect of the ownership or occupation of property (including persons qualified in respect of lodgings) be arranged in the same order in which the qualifying premises appear in the rate book for the parish in which those premises are situate or as nearly thereto as will cause those lists registers and rolls to record the qualifying premises in successive order in the street or other place in which they are situate subject in the case of a municipal borough divided into wards to the division of the burgess roll into ward lists The local authority in this Act means as regards a Parliamentary borough the authority having power to divide the Parliamentary borough into polling districts and as regards a municipal borough the council of the municipal borough.

35 & 36 Vict. c. 33,  
s. 5.

Claim by lodger retaining same lodgings in successive years.

22. Where a person is entered in respect of lodgings on the register of voters for the time being in force and desires to be entered on the next register in respect of the same lodgings he may claim to be so entered by sending notice of his claim to the overseers of the parish in which his lodgings are situate on or before the *Twenty-fifth day of July*.

The overseers shall on or before the *last day of July* make out a list of all persons so claiming and if they have reasonable cause to believe that any person whose name is entered on the list is not entitled to be registered or is dead shall add in the margin of the list opposite his name the words "objected to" or "dead" as the case may be.

The lists so made out shall be signed published and otherwise dealt with in the same manner as the alphabetical lists mentioned in Section Thirteen of the Parliamentary Registration Act 1843 and shall for the purposes of the Parliamentary Registration Acts be deemed to be lists of voters and the provisions of the Parliamentary Registration Acts as to objections shall apply to such lists and the persons against whose names the overseers have so written the words "objected to" or "dead" shall be deemed to be duly objected to.

Declaration of lodger to be prima facie evidence.

23. In the case of a person claiming to vote as a lodger the declaration annexed to his notice of claim shall for the purposes of revision be prima facie evidence of his qualification.

24. Any



**24.** Any person who is entered on any list of voters for a Parliamentary borough or any burgess list subject to revision under this Act for a municipal borough and whose name or place of abode or the nature of whose qualification or the name or situation of whose qualifying property is not correctly stated in such list or in respect of whom there is any other error or omission in the said list may whether he has received a notice of objection or not if he thinks fit make and subscribe a declaration in the form in that behalf in the Schedule to this Act or as near thereto as the circumstances will admit before any justice of the peace or any commissioner or other person authorised to administer oaths in the Supreme Court of Judicature.

Declaration as to misdescription.

The declaration shall be duly dated and shall on or before the *Twelfth* day of *September* be sent to the town clerk who forthwith shall endorse on the declaration a memorandum signed or initialed by him stating the date when he received it and naming the declarant and the list to which the declaration refers and shall deliver all such declarations to the revising barrister at his first court.

If the declaration is sent as aforesaid in due time (of which the said endorsement shall be *prima facie* proof) the revising barrister shall receive the declaration as evidence of the facts declared to and that without proof of the signature of the declarant or of the justice commissioner or person before whom the declaration purports to have been subscribed unless he has good reason to doubt the genuineness of any signature thereto.

The declarations shall be open to public inspection at the office of the said town clerk at any time between the hours of *Ten* of the clock in the forenoon and *Four* of the clock in the afternoon of any day except Sunday before the *Fifteenth* day of *September* and he shall deliver copies thereof on application and payment of the price of Fourpence per folio of Seventy-two words.

**25.** If any person falsely or fraudulently signs any such declaration as last aforesaid or any declaration either as claimant or witness in respect of a claim to vote as a lodger in the name of any other person whether that person is living or dead or in a fictitious name or sends as genuine any false or falsified declaration knowing the same to be false or falsified or knowingly and wilfully makes any false statement of fact in any declaration of the nature aforesaid he shall be guilty of a misdemeanour and punishable by fine or by imprisonment for a term not exceeding *One* year and the revising barrister shall have power to impound the declaration.

Penalty for false declaration.

**26.** The notice required by the Seventeenth and Twentieth Sections of the Parliamentary Registration Act 1843 to be given to persons objected to in boroughs for the purposes of the revision of the lists of voters for a Parliamentary borough and the burgess lists for a municipal borough whose burgess lists are revised under this Act shall state specifically the ground or grounds of objection and Sections Seven and Eight of the County Voters Registration Act 1865 shall extend to such objections.

Notice of objection to state specific grounds of objection &c.  
6 Vict. c. 18, ss. 17, 20.  
28 Vict. c. 36, ss. 7, 8.

**27.** For the purposes of the revision of the lists of voters for a Parliamentary borough and the burgess lists for a municipal borough whose burgess lists are revised under this Act—

(1.) An objection may be withdrawn by a notice to that effect in writing signed by the objector and given to the person objected to and to the town clerk not less than *Seven* days before the day which shall be appointed for the holding of the first court of revision of the list to which the objection relates.

Objections may be withdrawn.

(2.) Any objection by a qualified objector may after his death be revived by any other person qualified to have made the objection originally by a notice to that effect in writing signed by him and given to the person objected to and to the town clerk at or before the time of the revision of the entry to which the objection relates.

Reviver of objections on death of objector.

A person reviving an objection shall be deemed to have made the objection originally and he shall be responsible in respect thereof and the proceedings thereon shall be continued accordingly.

(3.) Where objection is made otherwise than by an overseer to any person whose name appears on a list of voters and the name is retained on the list the revising barrister shall unless he is of opinion that the objection was reasonably made either because of a defect or error in the entry to which the objection relates or because of a difficulty in verifying or identifying the particulars comprised in such entry or unless the objection is duly withdrawn or unless for some other special reason he otherwise determines order costs not exceeding *Forty* shillings to be paid by the objector to the person objected to.

Costs of objections.

**28.** A revising barrister shall with respect to the lists of voters for a Parliamentary borough and the burgess lists for a municipal borough which he is appointed to revise perform the duties and have the powers following:

Duties and powers of revising barrister.

- (1.) He shall correct any mistake which is proved to him to have been made in any list.
- (2.) He may correct any mistake which is proved to him to have been made in any claim or notice of objection.
- (3.) He shall expunge the name of every person whether objected to or not whose qualification as stated in any list is insufficient in law to entitle such person to be included therein.

- (4.) He shall expunge the name of every person who whether objected to or not is proved to the revising barrister to be dead.
- (5.) Where an entry in any list and an entry in a return made to the overseers of deaths appear to relate to the same person the revising barrister shall inquire whether such entries relate to the same person and on proof being made to him that the entries relate to the same person shall expunge the entry in the list therefrom.
- (6.) The revising barrister shall expunge the name of every person whether objected to or not whose name or place of abode or the nature of whose qualification or the name or situation of whose qualifying property if the qualification is in respect of property or any other particulars respecting whom by law required to be stated in the list is or are either wholly omitted or in the judgment of the revising barrister insufficiently described for the purpose of being identified unless the matter or matters so omitted or insufficiently described be supplied to the satisfaction of the revising barrister before he shall have completed the revision of the list in which the omission or insufficient description occurs and in case such matter or matters shall be so supplied he shall then and there insert the same in such list.
- (7.) He shall expunge the name of every person whether objected to or not where it is proved to the revising barrister that such person was on the last day of July then next preceding incapacitated by any law or statute from voting at an election for the Parliamentary borough or an election for the municipal borough as the case may be to which the list relates.
- (8.) Before expunging from a list the name of any person not objected to the revising barrister shall cause such notice if any as shall appear to him necessary or proper under the circumstances of the proposal to expunge the name to be given to or left at the usual or last known place of abode of such person.
- (9.) Subject as herein and by law provided the revising barrister shall retain the name of every person not objected to and also of every person objected to unless the objector appears by himself or by some person on his behalf in support of his objection.
- (10.) If the objector so appears the revising barrister shall require him unless he is an overseer to prove that he gave the notice or notices of objection required by law to be given by him and to give *prima facie* proof of the ground of objection and for that purpose may himself examine and allow the objector to examine the overseers or any other person on oath touching the alleged ground of objection and unless such proof is given to his satisfaction shall subject as herein and by law provided retain the name of the person objected to. An objection made under this Act by overseers shall be deemed to cast upon the person objected to the burden of proving his right to be on the list. The *prima facie* proof shall be deemed to be given by the objector if it is shown to the satisfaction of the revising barrister by evidence repute or otherwise that there is reasonable ground for believing that the objection is well founded and that by reason of the person objected to not being present for examination or for some other reason the objector is prevented from discovering or proving the truth respecting the entry objected to.
- (11.) If such proof is given by the objector as herein prescribed or if the objection is by overseers then unless the person objected to appears by himself or by some person on his behalf and proves that he was entitled on the last day of July then next preceding to have his name inserted in the list in respect of the qualification described in such list the revising barrister shall expunge the name of the person objected to.
- (12.) Where the matter stated in a list or claim or proved to the revising barrister in relation to any alleged right to be on any list is in the judgment of the revising barrister insufficient in law to constitute a qualification of the nature or description stated or claimed but sufficient in law to constitute a qualification of some other nature or description the revising barrister if the name is entered in a list for which such true qualification in law is appropriate shall correct such entry by inserting such qualification accordingly and in any other case shall insert the name with such qualification in the appropriate list and shall expunge it from the other list if any in which it is entered.
- (13.) Except as herein provided and whether any person is objected to or not no evidence shall be given of any other qualification than that which is described in the list or claim as the case may be nor shall the revising barrister be at liberty to change the description of the qualification as it appears in the list except for the purpose of more clearly and accurately defining the same.
- (14.) Where the name of any person appears to be entered more than once as a Parliamentary voter on the lists of voters for the same Parliamentary borough

borough or more than once as a burgess on the burgess lists for the same municipal borough the revising barrister shall inquire whether such entries relate to the same person and on proof being made to him that such entries relate to the same person shall retain one of the entries for voting and place against the other or others a note to the effect that the person is not entitled to vote in respect of the qualification therein contained for the Parliamentary borough or for the municipal borough as the case may be he being on the list for voting in respect of another qualification.

Any such person may by notice in writing delivered to the revising barrister at the opening of his first revision court select the entry to be retained for voting and in making such selection may select one entry to be retained for voting for the Parliamentary borough and another entry to be retained for voting as a burgess for the municipal borough but if he does not make any selection the entry to be so retained shall be selected by the revising barrister except in the case of freemen in which case the entry to be retained by the revising barrister for voting shall be that on the freemen's list.

If any question on appeal or otherwise arise as to the validity of the qualification for which the Parliamentary voter or burgess is on the list for voting recourse may be had for supporting the right of the voter or burgess to be on the Parliamentary register or burgess roll for voting to any other qualification of such person appearing on the register or burgess roll.

Provided always that in the case of a municipal borough divided into wards a vote given in or the right to vote in one ward shall not be supported by a qualification appearing on the burgess roll for some other ward:

- (15.) Where a list is made out in divisions the revising barrister shall place the name of any person in the division in which it should appear according to the result of the revision regard being had to the title of the person to be on the list both as a Parliamentary voter and as a burgess or only in one of those capacities and shall expunge the name from the other division (if any) in which it appears.
- (16.) The revising barrister may by summons under his hand require any person to attend at the court and give evidence or produce documents for the purpose of the revision and any person who after the tender to him of a reasonable amount for his expenses fails so to attend or who fails to answer any question put to him by the revising barrister in pursuance of this section or to produce any document which he is required in pursuance of this section to produce shall be liable to pay such fine not exceeding *Five* pounds as may be imposed by the revising barrister and such fine may be recovered and when recovered shall be applied in like manner as any other fine imposed by the revising barrister under the Parliamentary Registration Acts.

This section shall as regards every Parliamentary borough and every municipal borough whose burgess lists are revised under this Act take effect instead of Section Forty of the Parliamentary Registration Act 1843.

**29.** The provisions of the Fifty-first Section of the Parliamentary Registration Act 1843 relating to the power of the revising barrister to fine overseers for neglect of duty shall extend to every wilful refusal neglect or breach of duty on the part of overseers in the execution of this Act. Power to fine overseers for neglect of duty.

**30.** Where the whole or part of the area of a municipal borough is co-extensive with or included in the area of a Parliamentary borough the expenses properly incurred by the town clerk (including in his expenses the matters mentioned in Section Thirty-one of the Representation of the People Act 1867) and the expenses properly incurred by the overseers in carrying into effect the provisions of this Act with respect to the lists of Parliamentary voters and burgess lists and all moneys received in respect of any of those lists or in respect of any fine imposed by the revising barrister on the revision of the lists shall be respectively paid and applied as follows: Expenses and receipts.  
30 & 31 Vict. c. 102,  
s. 31.

- (1.) If the area of the Parliamentary borough and the area of the municipal borough are co-extensive one-half of the expenses shall be defrayed in the manner provided by the Parliamentary Registration Acts as expenses incurred thereunder and the other half shall be defrayed out of the borough fund and one-half of the moneys received as aforesaid shall be applied in the manner directed in those Acts and the other half shall be paid to the borough fund.
- (2.) In all other cases the expenses and receipts in respect of the area common to the Parliamentary borough and to a municipal borough shall as to one-half thereof be defrayed and applied as expenses and receipts under the Parliamentary Registration Acts and shall as to the other half thereof be defrayed out of and paid to the borough fund of such municipal borough;

And the expenses and receipts in respect of an area exclusively Parliamentary

mentary shall be defrayed and applied as expenses and receipts under the Parliamentary Registration Acts;

And the expenses and receipts of an area exclusively municipal shall be defrayed out of and paid to the borough fund of the municipal borough comprising such area;

Any expenses and receipts incurred or arising in respect of more than one such area shall be apportioned between the several areas in respect of which they are incurred or arise in the proportion as nearly as may be in which the same are incurred and arise in respect of the several areas regard being had to the number of Parliamentary voters or burgesses in each area or any other circumstances occasioning the expenses or giving rise to the receipts;

The revising barrister shall as part of the business of the revision determine if necessary in respect of what area or areas any expenses or receipts are incurred or arise and how much thereof is attributable to each area.

The remuneration of the revising barrister shall be paid as heretofore under the Parliamentary Registration Acts provided always that the council of a municipal borough whose burgess lists are revised under this Act shall pay out of the borough fund to the revising barrister by way of additional remuneration in respect of his additional work on account of the municipal revision for such municipal borough a remuneration at the rate mentioned in the Third Section of the Municipal Corporation Act 1859.

22 Vict. c. 35, s. 3.

Delivery and custody of revised lists.

**31.** The lists if made out in divisions under this Act shall when revised be delivered to the town clerk to whom in respect of the area to which the lists relate revised Parliamentary lists ought to be delivered.

The revising barrister shall as part of the business of the revision at the request of the town clerk of any municipal borough the whole or part of the area of which is co-extensive with or included in the area of a Parliamentary borough sign and deliver to him a duplicate of the whole or part of any revised list made out in divisions and relating to that municipal borough.

Every such duplicate shall be prepared by the town clerk at whose request it is so signed and shall be kept by him for use for municipal purposes.

Commencement and duration of Parliamentary register.

**32.** The register made up from revised lists under the Parliamentary Registration Acts and this Act of voters for any Parliamentary borough shall come into operation on the First day of January next after the revision and shall continue in operation for the year commencing with such First day of January.

Commencement and duration of burgess roll.

**33.** The burgess roll made up from revised lists under this Act of burgesses for any municipal borough shall come into operation on the First day of November next after the revision and shall continue in operation for the year commencing with such First day of November.

Certain expressions in 38 & 39 Vict. c. 40 to refer to new burgess roll or ward list.

**34.** For all the purposes of the Municipal Elections Act 1875 relating to the qualification of candidates or of persons signing or subscribing nomination papers expressions referring to the burgess roll of the borough or to the burgess roll or ward list for the time being in force in the borough or ward shall for the purposes of any election to be held on or after the First day of November in any year be deemed to refer to the new burgess roll or ward list to come into force on the First day of November in that year.

Appeal and correction of burgess roll where burgess lists are revised under this Act.

**35.** Where burgess lists are revised under this Act the provisions of the Parliamentary Registration Acts as to appeal from the decision of the revising barrister shall apply to a decision on the revision of the burgess lists and the provisions of the said Acts as to the alteration or correction of the register in pursuance of any judgment or order of the court of appeal shall apply to the alteration or correction of the burgess roll made up from the burgess lists as if it were a register of Parliamentary voters except that the notice of the judgment or order shall be given to the town clerk having the custody of the burgess roll and the alteration or correction shall be made and signed by him.

Appeal where revising barrister neglects or refuses to state case.

**36.** If any person feels aggrieved by a revising barrister neglecting or refusing to state any case he may within *One* month after such neglect or refusal apply to the High Court of Justice upon affidavit of the facts for a rule calling on the revising barrister and also on the person if any in whose favour the decision from which the applicant desires to appeal was given to show cause why a rule should not be made directing the appeal to be entertained and the case to be stated and thereupon the High Court or any judge thereof in chambers may make such rule to show cause and make the same absolute or discharge it with or without payment of costs as seems just and the revising barrister on being served with any such rule absolute shall state the case accordingly and the case shall be stated and the appeal entertained and heard notwithstanding any limitations of time or place contained in the Parliamentary Registration Act 1843.

Costs of appeal.

**37.** The cost of an appellant against a decision of a revising barrister may if the appeal is successful be ordered by the court hearing the appeal to be paid by the clerk of the peace or town clerk named as respondent in the said appeal whether he shall or shall not appear before the said court in support of the decision.

For enabling an appellant to obtain such an order he may at or before the time of making

making his declaration of appeal under Section Forty-two of the Parliamentary Registration Act 1843 require the revising barrister to name the clerk of the peace for the county or the town clerk for the Parliamentary borough or municipal borough as the case may be to which the appeal relates to be respondent in the appeal. 6 Vict. c. 18, s. 42.

The revising barrister if so required shall and in any case may name such clerk of the peace or town clerk as the case may be to be respondent in an appeal either alone or in addition to any other person referred to in Section Forty-three of the Parliamentary Registration Act 1843. 6 Vict. c. 18, s. 43.

The expenses properly incurred by a clerk of the peace or town clerk as respondent including any costs which he may be ordered to pay to the appellant in any such appeal shall be allowed to him as part of the expenses incurred by him in respect of the revision of the list to which the appeal relates. The term "expenses" in this section shall include all matters mentioned in Section Thirty-one of the Representation of the People Act 1867. 30 & 31 Vict. c. 102, s. 31.

The costs of an appeal against a decision of a revising barrister shall be in the discretion of the court hearing the appeal subject except as aforesaid to the proviso contained in Section Seventy of the Parliamentary Registration Act 1843. 6 Vict. c. 18, s. 70.

38. The authority having power to make rules for regulating the practice and procedure in Her Majesty's High Court of Justice may from time to time make and when made alter and annul rules for regulating the practice and procedure in the courts of revising barristers for the purposes of the Parliamentary Registration Acts and of this Act. Power to make rules for proceedings at revision courts.

All rules made under this section shall be laid before each House of Parliament within Forty days next after the same are made if Parliament is then sitting and if not within Forty days after the beginning of the then next sitting of Parliament and if an Address is presented to Her Majesty by either of the said Houses within the next subsequent Forty days on which the said House shall have sat praying that any such rule be annulled Her Majesty may by Order in Council annul the same and any rule so annulled shall thenceforth be of no effect but without prejudice to the validity of any proceedings in the meantime taken thereunder.

All such rules shall while in force have effect as if enacted in this Act.

39. The provisions of Section 101 of the Parliamentary Electors Registration Act 1843 as to the service of notices shall apply to the service of notices under this Act. Service of notices. 6 Vict. c. 18, s. 101.

The term "notice" in the Parliamentary Registration Acts and this Act shall include any document required to be sent or delivered.

40. Section 13 of the Ballot Act 1872 shall with respect to any municipal election apply to non-compliance with any of the provisions of or mistake or error in the use of any of the forms prescribed by the Municipal Elections Act 1875. Application of 35 & 36 Vict. c. 33, s. 13. 38 & 39 Vict. c. 40.

41. Nothing in this Act shall affect any register of Parliamentary voters or burgesses roll in force at the commencement of this Act. Saving for existing registers and burgess rolls.

42. Nothing in this Act shall affect the provisions contained in Section Seventy-eight of the Reform Act 1832. Saving for 2 & 3 Will. 4, c. 45, s. 78.

## SCHEDULE.

### FORM (A.)

FORM of PRECEPT of the TOWN CLERK or other OFFICER issuing the PRECEPT to the OVERSEERS of any PARISH situate wholly or partly in a PARLIAMENTARY BOROUGH, or in a MUNICIPAL BOROUGH, the whole or part of the Area of which is co-extensive with or included in the Area of a PARLIAMENTARY BOROUGH.

† Parliamentary borough of } To the overseers of the poor of the parish of  
[or township of]  
\* Municipal borough of }  
to wit.

Omit part between crosses if no part of parish is in a Parliamentary borough.  
Omit part between asterisks if no part of parish is in a municipal borough.

In pursuance of the provisions of the Parliamentary and Municipal Registration Act, 1878, and the Acts therein referred to, I require your attention to the following

#### Instructions.

On or before the *Twentieth day of June* you are to publish a notice [or notices], signed by you according to the form marked B. among the printed forms herewith sent.

Note.—Form B. in this Schedule must be sent.

The manner in which you are required to publish that notice is as follows; (that is to say), you are to fix one of the printed copies (each copy being first signed by you), on or near the outside of the outer door or of the outer wall near the door of every church and public chapel in your parish [or township], including chapels which do not belong to the Established Church, and also in some public and conspicuous position on or near every post office or telegraph office occupied by or on behalf of Her Majesty's Postmaster General, and every public or municipal or parochial office in your parish [or township], or if

if there is no such church, chapel, or office, then in some public situation in your parish [or township], and it must remain there during a period including two Sundays at the least.

*Note.*—Form C. in this Schedule must be sent.

Omit part between crosses if no part of parish is in a Parliamentary borough.

Omit part between asterisks if no part of parish is in a municipal borough.

When a borough rate is levied as a separate rate and not as part of the poor rate the precept should be altered accordingly so as to contain a reference to the borough rate.

Omit part between crosses if no part of parish is in a Parliamentary borough.

Omit part between asterisks if no part of parish is in a municipal borough.

Omit part between asterisks if no part of parish is in a municipal borough, or if no part of parish is in a Parliamentary borough.

Omit part between crosses if no part of parish is in a Parliamentary borough.

*Note.*—The appropriate form must be sent.

Omit part between asterisks if no part of parish is in a municipal borough, but unless it is omitted, send Form G.

*Note.*—A printed copy of the directions in the Schedule for the guidance of overseers in making out the lists must be enclosed.

Omit part between crosses if no part of parish is in a Parliamentary borough.

*Note.*—A printed copy of the Table No. 1 in Schedule D. to the Parliamentary Registration Act, 1843, 6 & 7 Vict. c. 18, must be enclosed.

*Note.*—Forms marked K. and L. must be sent.

Where any poor rate was on the *First day of June* due from an occupier in respect of any premises capable of conferring the franchise for the said [Parliamentary\* or municipal\* borough, you are on or before the *Twentieth day of June*, to give to that occupier a notice in the form marked C. sent herewith, by delivering it to the occupier, or leaving it at his last or usual place of abode, or with some person on the premises in respect of which the rate is payable, and in case no such person can be found, then by affixing the notice upon some conspicuous part of such premises. You need not give this notice if the rate has been previously duly demanded by a demand note served in the like manner as the last-mentioned notice.

On or before the *Twenty-second day of July* next you are to make out a list containing the name and place of abode of every person who has not paid on or before the *Twentieth day of the same month* all poor rates which have become due from him in respect of any premises within your parish [or township] before the *Fifth day of January* last, and you are to keep that list to be perused by any person gratis at any time between 10 a.m. and 4 p.m. on any day, except Sunday, during the first *Fourteen* days after the said *Twenty-second day of July*.

On or before the *last day of July* you are to make out a list of all persons entitled under any right conferred by the Reform Act, 1832 (2 & 3 Will. 4, c. 45), or by section three of the Representation of the People Act, 1867, to be registered as Parliamentary voters to vote at the election of a member [or members] to serve in Parliament for the Parliamentary borough of \_\_\_\_\_ in respect of the occupation of property situate wholly or partly within your parish [or township] \* or † entitled to be enrolled as burgesses of the municipal borough of \_\_\_\_\_, in respect of the occupation of property situate wholly or partly within your parish [or township].\*

\* This list is to be made out in three divisions.

Division one is to comprise the names of the persons entitled both to be registered as Parliamentary voters under a right conferred as aforesaid, and to be enrolled as burgesses.

Division two is to comprise the names of the persons entitled to be registered as Parliamentary voters under a right conferred as aforesaid, but not to be enrolled as burgesses.

Division three is to comprise the names of the persons entitled to be enrolled as burgesses, but not to be registered as Parliamentary voters under a right conferred as aforesaid.\*

† On or before the *last day of July* you are also to make out a list of all persons who are entitled within your parish [or township] to be registered as Parliamentary voters to vote at the election of a member [or members] to serve in Parliament for the said Parliamentary borough in respect of any other right than a right conferred by the Reform Act, 1832, or by Section Three of the Representation of the People Act, 1867 (except as freemen or as lodgers).

On or before the *last day of July* you are also to make out a list of all persons who being on the register of voters now in force for the said Parliamentary borough in respect of residence in lodgings within your parish [or township] have duly claimed, on or before the *Twenty-fifth day of July*, to have their names inserted in the lists of Parliamentary voters for the said borough in respect of residence in the same lodgings. ‡

These lists are [or This list is] to be in the Form D. (or, as the case may be, E. or F.) sent herewith.

\* On or before the *last day of July* you are also to make out a list (in the Form G. sent herewith) of all persons who are entitled, in respect of the occupation of property within your parish [or township], to be elected councillors or aldermen of the said municipal borough, but who are not entitled to be on the burgess roll thereof.\*

In making out each of these lists you will follow the directions of which a copy is enclosed.

On or before the *First day of August* you are to sign and publish written or printed copies of these lists, in the same manner as before mentioned with respect to the notice.

You are to keep a copy of these lists signed by you, † and also a copy of the list of defaulters in payment of assessed taxes sent to you by the collector of taxes, ‡ to be open to public inspection at any time between the hours of ten o'clock in the forenoon and four o'clock in the afternoon of any day, except Sunday, during the first fourteen days after the publication of the said lists, and to deliver copies of any such lists to any person on payment of a price for each copy after the rate contained in the table marked "Parliamentary Registration Act, 1843 Schedule (D.), No. 1;" sent herewith.

You are to make out lists according to the forms marked K. sent herewith, containing the names of every person who has given or caused to be given to you, or any one of you, on or before the *Twenty-fifth day of August* notice of his claim to have his name inserted in any list of voters, making separate lists of—

- (1.) Persons claiming to be entered in the lists of Parliamentary voters otherwise than as freemen or lodgers; and

- (2.) Persons

- (2.) Persons claiming to be entered in the lists of Parliamentary voters as lodgers who are not comprised in the above-mentioned list of lodger voters; \*and  
 (3.) Persons claiming to be entered in the Burgess lists.\*

Omit part between asterisks if no part of parish is in a municipal borough.

You are also to make out lists according to the forms marked L., sent herewith, containing the names of every person against whom a notice of objection has been given to you, or any of you, on or before the *Twenty-fifth day of August*, as not being entitled to have his name retained in any list for your parish [or township], giving in separate lists the objections made to—

- (1.) Any person on the list of Parliamentary voters other than the above-mentioned list of lodger voters:  
 (2.) Any person on the above-mentioned list of lodger voters:  
 \*(3.) Any person on the Burgess list.\*

Omit part between asterisks if no part of parish is in a municipal borough.

On or before the *Twenty-ninth day of August* you are to deliver to me copies of the lists so respectively made out and signed by you as aforesaid.

On or before the *First day of September* you are to sign and publish each of the lists of claimants and persons objected to in the same manner as before mentioned with respect to the notice.

You are to keep a copy of each of the lists of claimants and persons objected to, signed by you, and these copies, and also the original notices of claims and of objections, are to be open to public inspection at any time between the hours of Ten of the clock in the forenoon and Four of the clock in the afternoon of any day, except Sunday, during the first *Fourteen days of September*, and you are to deliver copies of each of these lists to any person on payment of a price for each copy after the rate contained in the table marked "Parliamentary Registration Act, 1843, Schedule (D.), No. 1," sent herewith.

If you find any such notice, list or other document published by you as aforesaid to be destroyed, mutilated, effaced, or removed, you are forthwith to place another in its room to the same effect.

You are to attend at the court to be holden for the revision of the said lists, of the time of holding which notice will be given; and at the opening of the court you are there to deliver to the barrister before whom the same is holden, the several lists made out and signed by you, and the original notices of claims and of objections given to you.

Herein if you fail you will be liable to the penalties in that case provided.

Dated the                      day of                      18 .

(signed)                      A. B.,

Town Clerk of the Municipal Borough of

If the officer issuing the precept is not the town clerk of a municipal borough he should append to his signature his proper official description.

### FORM B.

#### NOTICE to be Published by the OVERSEERS in a PARLIAMENTARY BOROUGH.

Parliamentary borough of

to wit.

We hereby give notice that no person will be entitled to have his name inserted in any list of Parliamentary voters for the Parliamentary borough of                      , now about to be made in respect of the occupation of any property situate wholly or partly within this parish [or township], unless he pays on or before the *Twentieth day of July* all the poor rates which have become due from him in respect of those premises up to the *Fifth day of January* last past; or to have his name inserted in any such list under any right conferred by the Reform Act, 1832, in respect of the occupation of any property situate as aforesaid, unless he pays on or before the *Twentieth day of July* all assessed taxes which have become due from him in respect of those premises up to the *Fifth day of January* last past; and all persons who omit to make such payments will be incapable of being upon the next register of Parliamentary voters for this borough in respect of those premises.

Dated the                      day of June 18 .

(signed)                      A. B. } Overseers of the Parish [or township]  
    C. D. } of                      .

#### NOTICE to be Published by the OVERSEERS in a MUNICIPAL BOROUGH.

Municipal borough of

to wit.

We hereby give notice that no person will be entitled to have his name inserted in any list of burgesses of the municipal borough of                      , now about to be made in respect of the occupation of any property situate wholly or partly within this parish [or township], unless he pays, on or before the *Twentieth day of July*, all poor rates and borough rates (if any) which have become due from him in respect of those

*Note.*—This form is to be used only where the whole or part of the area of the municipal borough is co-extensive with or included in the area of a Parliamentary borough.



those premises up to the *Fifth day of January* last past; and all persons who omit to make such payment will be incapable of being upon the next burgess roll for this borough in respect of those premises.

Dated the                      day of June 18 .  
(signed)     A. B. } Overseers of the Parish [or township]  
                 C. D. } of

*Note.*—Where a parish is situate within both a Parliamentary borough and a municipal borough, both the above notices must be issued.

FORM (C.)

To A.B.  
† Parliamentary borough of †  
\* Municipal borough of \*

Take notice that you will not be entitled to have your name inserted in the† list of Parliamentary voters for the Parliamentary borough of                      \* or† in the burgess lists for the municipal borough of                      \* now about to be made in respect of the premises in your occupation in [*street or place*], unless you pay on or before the *Twentieth day of July* next all the poor rates\* (including borough rates, if any)\* due from you in respect of those premises up to the *Fifth day of January* last, amounting to £.                      , and if you omit to make such payment you will be incapable of being on the next† register of Parliamentary voters for the said Parliamentary borough\* or† burgess roll for the said municipal borough.\*

Dated the                      day of June 18 .  
(signed)                      C.D. } Overseers.  
   E.F. }  
   or  
   G.H., Assistant Overseer.  
   or  
   I.K., Collector.  
of the Parish [or Township] of                      .

*Note.*—This form is to be used in every Parliamentary borough, but only in a municipal borough, the whole or part of the area of which is co-extensive with or included in the area of a Parliamentary borough.  
If no part of the parish is in a Parliamentary borough the parts between crosses are to be omitted.  
If no part of the parish is in a municipal borough the parts between asterisks are to be omitted.  
Where a borough rate is levied as a separate rate and not as part of the poor rate, the form should be altered accordingly, so as to distinguish the borough rate from the poor rate, and to state that omission to pay the borough rate will disqualify for enrolment as a burgess.

FORM (D.)

FORM of LISTS of PARLIAMENTARY VOTERS and BURGESSES for a PARISH wholly or partly situate both in a PARLIAMENTARY BOROUGH and in a MUNICIPAL BOROUGH.

No. 1. LIST OF

† The persons entitled under any right conferred by the Reform Act, 1832, or by Section Three of the Representation of the People Act, 1867, to be registered as Parliamentary voters to vote at the election of a Member [or Members] to serve in Parliament for the Parliamentary borough of                      , in respect of the occupation of property situate wholly or partly within this parish [or township], \* and† the persons entitled to be enrolled as burgesses for the municipal borough of                      , in respect of the occupation of property situate wholly or partly within this parish [or township]\*.

*Division One. Persons entitled both to be Registered as Parliamentary Voters under a right conferred as aforesaid, and to be Enrolled as Burgesses.*

1. Names of Voters in full, Surname being first.	2. Place of Abode.	3. Nature of Qualification.	4. Name and Situation of Qualifying Property.
Abrahams, Samuel -	4, Brick-street -	House (joint) -	4, Brick-street.
Brown, Thomas -	4, Brick-street -	Shop -	4, Brick-street.
Masters, Abel -	1, Brick-street -	House -	1, Brick-street.
Smith, William -	Wood Villa, Gainsborough.	Building -	2, Brick-street.

*Division*

*N.B.*—This list (No. 1) does not contain the names of any Parliamentary voters except those entitled under some right conferred by the Reform Act, 1832, or by Section 3 of the Representation of the People Act, 1867.

*Division Two. Persons entitled to be Registered as Parliamentary Voters under a right conferred as aforesaid, but not to be Enrolled as Burgesses.*

Names of Voters in full, Surname being first.	Place of Abode.	Nature of Qualification.	Name and Situation of Qualifying Property.
Adams, John - -	24, Duke Street -	House - - -	7, Brick Street.
Stubbs, Thomas -	10, High Street -	Shop - - -	4, Brick Steet.

*Division Three. Persons entitled to be Enrolled as Burgesses, but not to be Registered as Parliamentary Voters under a right conferred as aforesaid.*

Names of Voters in full, Surname being first.	Place of Abode.	Nature of Qualification.	Name and Situation of Qualifying Property.
Gardener, Mary -	10, Brick Street -	House - - -	10, Brick Street.
Thompson, Henry -	14, John Street -	Warehouse - -	3, Brick Street.

(signed) A. B. } Overseers of the Parish [or  
C. D. } Township] of .

#### No. 2.—LIST OF

The persons entitled to be registered as Parliamentary Voters to vote at the election of a Member [or Members] to serve in Parliament for the Parliamentary borough of in respect of any other right than a right conferred by the Reform Act, 1832, or by Section 3 of the Representation of the People Act, 1867 (except as freemen or as lodgers).

Names of Voters in full, Surname being first.	Place of Abode.	Nature of Qualification.	Name and Situation of Qualifying Property (if any).
Smith, John - -	15, Brick Street -	Inhabitant householder, paying scot and lot.	

(signed) A. B. } Overseers of the Parish [or  
C. D. } Township] of .

#### No. 3.—LIST OF

The persons who being on the register of voters now in force for the Parliamentary borough of , in respect of residence in lodgings within the parish [or township] of claim, in respect of residence in the same lodgings, to have their names inserted in the list of persons entitled to vote in the election of a Member [or Members] to serve in Parliament for the said borough.

Names of Claimants in full, Surname being first.	Description of Rooms occupied, and whether Furnished or not.	Street, Lane, or other Place, and Number, if any, of House in which Lodgings are situate.	Amount of Rent paid.	Name and Address of Landlord or other Person to whom Rent is paid.	Objections by Overseers.

(signed) A. B. } Overseers of the Parish [or  
C. D. } Township] of .

FORM (E.)

FORM of LIST of Parliamentary Voters for a PARISH wholly or partly situate in a PARLIAMENTARY BOROUGH, but not in a MUNICIPAL BOROUGH.

This form is to be the same as Form D., omitting from List No. 1 the parts between asterisks, and omitting the words "*Division One. Persons entitled, &c.,*" forming the heading of Division One, and omitting Divisions Two and Three.

*Note.*—This form is to be used only where the whole or part of the area of the municipal borough is co-extensive with or included in the area of a Parliamentary borough.

FORM (F.)

FORM of LIST of Burgesses for a PARISH wholly or partly situate in a MUNICIPAL BOROUGH, but not in a PARLIAMENTARY BOROUGH.

This form is to be the same as Form D., No. 1, omitting the parts between crosses, and omitting the words "*Division One. Persons entitled, &c.,*" forming the heading of Division One, and omitting Divisions Two and Three.

*Note.*—This form is to be used only where the whole or part of the area of the municipal borough is co-extensive with or included in the area of a Parliamentary borough.

FORM (G.)

FORM of LIST of Occupiers in any Parish entitled to be elected Councillors or Aldermen of a Municipal Borough, though not entitled to be on the Burgess Roll of that Borough.

List of the persons who are entitled to be elected councillors or aldermen of the municipal borough of \_\_\_\_\_ in respect of the occupation within the parish [or township] of \_\_\_\_\_ of any property, but who are not entitled to be on the Burgess Roll of that borough.

1. Names of Persons in full, Surname being first.	2. Place of Abode.	3. Nature of Qualification.	4. Name and Situation of Qualifying Property.

(signed) A. B. } Overseers of the Parish [or  
C. D. } township] of \_\_\_\_\_

FORM (H.)

FORM OF NOTICE OF CLAIM.

No. 1.—PARLIAMENTARY (General).

To the Overseers of the Parish [or township] of \_\_\_\_\_

I claim to have my name inserted in the list made by you of persons entitled to vote at the election of a Member [or Members] to serve in Parliament for the Parliamentary borough of \_\_\_\_\_ in respect of the qualification named below.

Dated the \_\_\_\_\_ day of \_\_\_\_\_ 18 \_\_\_\_.

Name of Claimant in full, Surname being first.	Place of Abode.	Nature of Qualification.	Name and Situation of Qualifying Property.

(signed) A. B.

No. 2.—PARLIAMENTARY (Lodgers).

To the Overseers of the Parish [or township] of

I claim to have my name inserted in the list of persons entitled to vote at the election of a Member [or Members] to serve in Parliament for the Parliamentary borough of in respect of the qualification named below.

Name of Claimant in full, Surname being first.	Description of Rooms occupied, and whether Furnished or not.	Street, Lane, or other Place, and Number (if any) of House in which Lodgings situate.	Amount of Rent Paid.	Name and Address of Landlord or other Person to whom Rent is Paid.
Stevens, John Wil- liam.	Two rooms, first floor, furnish- ed.	51, Brick-street	16 s. a week.	William Johnson, High-street.

I hereby declare that I have during the twelve calendar months immediately pre-  
ceding the *Fifteenth day of July* in this year occupied as sole tenant [or as joint tenant  
with ], and resided in the above-mentioned lodgings, and that those lodgings  
are of a clear yearly value, if let unfurnished, of ten [or twenty] pounds or upwards.  
† and I hereby declare that I am on the register of Parliamentary voters for the said Par-  
liamentary borough in respect of the same lodgings as above mentioned, and I desire to  
have my name inserted in the list of lodger voters published on or before the first day of  
August.†

Omit the words be-  
tween crosses if they  
are not applicable.

Dated the day of 18 .  
(signed) A. B. (the Claimant.)

I, the undersigned, hereby declare that I have witnessed the above signature of the  
above-named [here state name of claimant], at the date stated above, and that I believe the  
above claim to be correct.

Dated the day of 18 .  
(signed) C. D., of  
[State residence and calling of witness.]

*Note.*—If the claim is in respect of different rooms successively occupied as lodgings  
in the same house, the notice of claim must specify each room, or set of rooms,  
so occupied. If the claimant is on the register in respect of the same lodgings, and  
desires to have his name inserted in the list of lodger voters published on or before the  
*First day of August*, he must send in his claim on or before the *Twenty-fifth day of July*.  
In any other case he must send it in after the *last day of July* and on or before the  
*Twenty-fifth day of August*. If there are two joint lodgers the yearly value of the lodgings  
must be twenty pounds, or upwards.

No. 3.—MUNICIPAL.

To the Overseers of the Parish [or township] of

I claim to have my name inserted in the list made by you of burgesses of  
the municipal borough of , in respect of the qualification named  
below.

*Note.*—This form is  
to be used only where  
the whole or part of  
the area of the muni-  
cipal borough is co-  
extensive with or  
included in the area  
of a Parliamentary  
borough.

Dated the day of 18 .

Name of Claimant in full, Surname being first.	Place of Abode.	Nature of Qualification.	Name and Situation of Qualifying Property.

(signed) A. B.

## FORM I.

## FORM OF NOTICE OF OBJECTION.

## No. 1.—(PARLIAMENTARY).

## NOTICE OF OBJECTION to be given to OVERSEERS.

To the Overseers of the Parish [or township] of .

I hereby give you notice that I object to the name of . being retained on the lists of persons entitled to vote at the election of a Member [or Members] to serve in Parliament for the Parliamentary borough of .

Dated the . day of . 18 .

(signed) A. B. [place of abode] on the List of Parliamentary Voters for the parish of .

## No. 2.—(PARLIAMENTARY).

## NOTICE OF OBJECTION to be given to PERSON Objected to.

To Mr. .

I hereby give you notice that I object to your name being retained on the lists of persons entitled to vote at the election of Members [or a Member] to serve in Parliament for the Parliamentary borough of ., on the following grounds, viz. :—

1. *e. g.*, that you have not occupied for twelve months to *July 15th*.
2. That
- 3.

Dated the . day of . 18 .

(signed) A. B., of [place of abode], on the List of Parliamentary Voters for the parish of .

*Note.*—If there is more than one list of Parliamentary voters, the notice of objection in each of the above two cases, Nos. 1 and 2, should specify the list to which the objection refers, and if the list referred to is made out in divisions, the notice of objection should specify the division to which the objection refers; and if the list contains two or more persons of the same name, the notice should distinguish the person intended to be objected to.

## No. 3.—(MUNICIPAL).

## NOTICE OF OBJECTION to be given to OVERSEERS.

To the Overseers of the Parish [or township] of .

I hereby give you notice that I object to the name of . being retained on the lists of burgesses of the municipal borough of .

Dated the . day of . 18 .

(signed) A. B., of [place of abode], on the List of Burgesses for the parish of .

*Note.*—This form is to be used only where the whole or part of the area of the municipal borough is co-extensive with or included in the area of a Parliamentary borough.

## No. 4.—(MUNICIPAL).

## NOTICE OF OBJECTION to be given to PERSON Objected to.

To Mr. .

I hereby give you notice that I object to your name being retained on the lists of burgesses of the municipal borough of ., on the following grounds, viz. :—

1. *e. g.*, that you have not occupied for twelve months to *July 15th*.
2. That
- 3.

Dated the . day of . 18 .

(signed) A. B., of [place of abode], on the List of Burgesses for the parish of .

*Note.*—This form is to be used only where the whole or part of the area of the municipal borough is co-extensive with or included in the area of a Parliamentary borough.

*Note.*—If there is more than one burgess list the notice of objection in each of the above two cases, Nos. 3 and 4, should specify the list to which the objection refers, and if the list is made out in divisions, the notice of objection should specify the division to which the objection refers; and if the list contains two or more persons of the same name, the notice should distinguish the person intended to be objected to.

## FORM (K.)

## FORM of LIST of CLAIMANTS to be Published by the Overseers.

## No. 1.—GENERAL LIST of CLAIMANTS (PARLIAMENTARY).

The following persons claim otherwise than as lodgers, to have their names inserted in the lists of persons entitled to vote at the election of a Member [*or* Members] to serve in Parliament for the Parliamentary borough of .

Name of Claimant in full, Surname being first.	Place of Abode.	Nature of Qualification.	Name and Situation of Qualifying Property.

(signed) A. B. } Overseers of the Parish [*or*  
C. D. } Township] of .

## No. 2.—LIST of LODGER CLAIMANTS (PARLIAMENTARY).

The following persons claim as lodgers to have their names inserted in the lists of persons entitled to vote at the election of a Member [*or* Members] to serve in Parliament for the Parliamentary borough of .

Name of Claimant in full, Surname being first.	Description of Rooms occupied, and whether Furnished or not.	Street, Lane, or other Place, and Number (if any) of House in which Lodgings are situate.	Amount of Rent Paid.	Name and Address of Landlord, or other Person to whom Rent is Paid.

(signed) A. B. } Overseers of the Parish [*or*  
C. D. } Township] of .

## No. 3.—LIST of CLAIMANTS (MUNICIPAL).

The following persons claim to have their names inserted in the Burgess Roll for the municipal borough of .

Name of Claimant in full, Surname being first.	Place of Abode.	Nature of Qualification.	Name and Situation of Qualifying Property.

(signed) A. B. } Overseers of the Parish [*or*  
C. D. } Township] of .

*Note.*—This form is to be used only where the whole or part of the area of the municipal borough is co-extensive with or included in a Parliamentary borough.

## FORM (L.)

FORM of LIST of PERSONS Objected to, to be Published by the Overseers.

## No. 1.—LIST of PERSONS objected to (PARLIAMENTARY).

The following persons have been objected to as not being entitled to have their names retained on the lists of persons entitled to vote at the election of a Member [*or* Members] to serve in Parliament for the Parliamentary borough of

Name of Person objected to in full, Surname being first.	Place of Abode.	Nature of the supposed Qualification.	Name and Situation of Qualifying Property.

(signed) A. B. } Overseers of the Parish [*or*  
C. D. } Township] of

## No. 2.—LIST of LODGERS objected to (PARLIAMENTARY).

The following persons have been objected to as not being entitled to have their names retained on the list of persons entitled to vote in respect of residence in lodgings at the election of a Member [*or* Members] to serve in Parliament for the Parliamentary borough of

Name of Person objected to in full, Surname being first.	Description of Rooms occupied, and whether Furnished or not.	Street, Lane, or other Place, and Number (if any) of House in which Lodgings are situated.	Amount of Rent Paid.	Name and Address of Landlord or other Person to whom Rent is Paid.

(signed) A. B. } Overseers of the Parish [*or*  
C. D. } Township] of

*Note.*—This form applies only to lodgers on the list of lodger claimants who claimed on or before the *Twenty-fifth day of July*, and were then on the register in respect of the same lodgings, and who are objected to. The list of such lodgers should form a separate list from that of other persons objected to.

## No. 3.—LIST of PERSONS objected to (Municipal).

*Note.*—This form is to be used only where the whole or part of the area of the municipal borough is co-extensive with or included in a Parliamentary borough.

The following persons have been objected to as not being entitled to have their names retained on the Burgess Lists for the municipal borough of

Name of Person objected to in full, Surname being first.	Place of Abode.	Nature of the supposed Qualification.	Name and Situation of Qualifying Property.

(signed) A. B. } Overseers of the Parish [*or*  
C. D. } Township] of



## FORM (M.)

## DECLARATION for correcting misdescription in List.

I, \_\_\_\_\_ of No. \_\_\_\_\_ in the parish  
of \_\_\_\_\_ in the Parliamentary borough of \_\_\_\_\_ and in the  
municipal borough of \_\_\_\_\_ [as the case may be], do solemnly and sincerely  
declare as follows:—

1. I am the person referred to in Division \_\_\_\_\_ of  
the List of Parliamentary Voters and Burgesses made out in Divisions [or in the list of  
\_\_\_\_\_] (specifying the particular list) made out for the parish of  
by an entry as follows:—

Name as described in List.	Place of Abode as described in List.	Nature of Qualification as described in List.	Name and Situation of Qualifying Property.
Brown, John - - -	High-street -	Shop - - -	2, Shire-lane.

2. My correct name and place of abode, and the correct particulars respecting my  
qualification are, and ought to be stated for the purposes of the Register about to be  
made up of voters for the Parliamentary borough of \_\_\_\_\_  
and the Burgess Roll about to be made up of burgesses for the municipal borough  
of \_\_\_\_\_ (as the case may be), as follows:—

Correct Name.	Correct Place of Abode.	Correct Nature of Qualification.	Correct Name and Situation of Qualifying Property.
Brown, Joseph - -	15, High-street -	House - - -	24, Shire-lane.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 18 .  
(signed)

Made and subscribed before  
me this \_\_\_\_\_ day  
of \_\_\_\_\_ 18 . }

A. B.,  
Justice of the Peace for \_\_\_\_\_

The person before  
whom the declaration  
is made, should affix  
his official description.

## FORM (N.)

## NOTICE OF WITHDRAWAL OF OBJECTION.

## No. 1.—NOTICE to the PERSON objected to.

To Mr.

I hereby give you notice that I withdraw my objection to your name being retained  
on the list of \_\_\_\_\_ † so far as regards the  
ground of objection numbered \_\_\_\_\_ in my notice to you of such objection. †

Dated the \_\_\_\_\_ day of \_\_\_\_\_ 18 .  
(signed)

The list should be  
referred to in the  
manner prescribed  
for the notice of  
objection.

Omit the words be-  
tween crosses if the  
objection is wholly  
withdrawn.

The notice should be  
signed in the manner  
prescribed for the  
notice of objection.

## No. 2.—NOTICE to the TOWN CLERK.

To the Town Clerk of

I hereby give you notice that I withdraw my objection to the name of  
 the list of \_\_\_\_\_ being retained on  
 ground of objection numbered \_\_\_\_\_ † so far as regards the  
 Dated the \_\_\_\_\_ day of \_\_\_\_\_ 18 .  
 (signed) \_\_\_\_\_

The list should be referred to in the manner prescribed for the notice of objection.

Omit the words between crosses if the objection is wholly withdrawn.

The notice should be signed in the manner prescribed for the notice of objection.

## FORM (O.)

## NOTICE of REVIVING an OBJECTION.

## No. 1.—NOTICE to the PERSON objected to.

To Mr.

I hereby give you notice that I revive the objection which was made by  
 , since deceased, to your name being retained on the list of  
 † so far as regards the ground of objection numbered \_\_\_\_\_ in the notice to you  
 of such objection.†  
 Dated the \_\_\_\_\_ day of \_\_\_\_\_ 18 .  
 (signed) \_\_\_\_\_

The list should be referred to in the manner prescribed for the notice of objection.

Omit the words between crosses if the objection is wholly revived.

The notice should be signed in the manner prescribed for the notice of objection.

## No. 2.—NOTICE to the TOWN CLERK.

To Town Clerk of

I hereby give you notice that I revive the objection which was made by  
 , since deceased, to the name of \_\_\_\_\_ being retained on the list of  
 † so far as regards the ground of objection numbered \_\_\_\_\_ in the notice to the  
 person objected to of such objection.†  
 Dated the \_\_\_\_\_ day of \_\_\_\_\_ 18 .  
 (signed) \_\_\_\_\_

The list should be referred to in the manner prescribed for the notice of objection.

Omit the words between crosses if the objection is wholly revived.

The notice should be signed in the manner prescribed for the notice of objection.

## NOTE (P.)

## DIRECTIONS for the Guidance of OVERSEERS in making out the Lists.

The following directions should be observed by overseers in making out the lists of Parliamentary voters and burgesses, and also the lists of claimants and persons objected to as Parliamentary voters and burgesses.

(1.) The surname and other name or names of each person are to be written at full length, the surname being placed first.

(2.) Each list, and where the list is made out in divisions, each division of each list should be made out in alphabetical order.

(3.) The place of abode should be entered with the name of the street, lane, or other locality, and the number in such street, lane, or other locality, of such place of abode where there is any such name or number, and should be entered in all cases in such a manner as will afford a full and sufficient address for a person entered if a letter is addressed to him by post.

(4.) The nature of the qualification should be entered as nearly as possible in the words of the statute conferring the franchise, for instance:—

(a) The nature of the qualification of a person under the Reform Act, 1832 (2 & 3 Will. 4, c. 45), or under the Municipal Corporation Acts, should be stated thus: "house," or in the case of a joint occupation, "house (joint)," or "warehouse," "counting-house," "shop," or "building," or in the manner provided by the Parliamentary and Municipal Registration Act, 1878, as the case may be:

(b) The nature of the qualification of a person under Section 3 of the Representation of the People Act, 1867, should be stated thus, "dwelling-house."

(5.) The name and situation of the qualifying property, if the qualification is in respect of property, should be entered with the name of the street, lane, or other locality, and the number in such street, lane, or other locality of such property, where there is any such name or number, and should be entered in all cases in such a manner as will afford full and sufficient means of identifying such property.

(6.) Where

*Notes.*—If the local authority has given any special directions as to the mode of making out the list, the town clerk or other officer issuing the precepts must modify direction (2) accordingly.

(6.) Where several qualifications are possessed by the same person, the particulars respecting each qualification should be stated in the list; and in the case of a list made out in divisions, where a person is entered in Division 1 in respect of one qualification for Parliamentary purposes, and in respect of another qualification for municipal purposes, each such qualification should be distinguished in the list by a note to the effect that the qualification is for Parliamentary purposes only, or for municipal purposes only, as the case may be.

(7.) In making out the list of lodger claimants who claim on or before the *Twenty-fifth day of July*, and are then on the register in respect of the same lodgings, if you have reason to believe that any person whose name is entered on that list is dead or is not entitled to vote, you should make a note to that effect in the last column of the list, being the column headed "Objections by overseers."

(8.) You should omit from any list of Parliamentary voters or burgesses the name of any person who appears from the returns furnished by the registrar of births and deaths to be dead, and the name of any person who is ascertained to be disqualified for being inserted in the list by reason of having received parochial relief or other alms.

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#### NOTE (Q.)

#### DIRECTIONS for Guidance in the formation of the PARLIAMENTARY REGISTER and BURGESS ROLL.

In copying and printing Divisions 1 and 2 for the Parliamentary Register, and Divisions 1 and 3 for the Burgess Roll, of any revised list made out in divisions under this Act, the two divisions in each set may, and, if and so far as the local authority under the Act shall so direct, shall be combined or kept separate, and be arranged according to convenience for use in parts for polling districts or wards, and where the polling districts and wards are not conterminous in such manner that the parts may be conveniently compiled or put together to serve either as lists for polling districts or as ward lists; and the names may, and, if and so far as the said local authority shall so direct, shall be distinguished by a number either alone, or in combination with a letter or other distinguishing mark according to the parts, and any arrangement may, and, if and so far as the said local authority shall so direct, shall be adopted according to convenience, so that one print or edition of Division 1 may be available for both sets.

Each entry for voting on the Parliamentary register of every Parliamentary borough, and on the burgess roll of every municipal borough, whose burgess lists are revised under this Act, is to be distinguished by a number, either alone or in combination with a letter or distinguishing mark.

Any entry of a person not entitled to vote in respect of the qualification therein contained, he being on the list for voting in respect of another qualification, is to be denoted by an asterisk in the manner provided by Section Forty-seven of the Parliamentary Registration Act, 1843, with respect to similar entries in the registers for counties.

The officer having the custody of any revised lists under this Act shall permit access thereto for the purpose of the same being copied for the Parliamentary register of the Parliamentary borough, and for the Burgess Roll of any municipal borough to which such revised lists relate.

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Preamble *postponed*.

Clauses 1—10, *agreed to*.

Clause 11, amended, and *agreed to*.

Clause 12, *agreed to*.

Clause 13, amended, and *agreed to*.

Clauses 14—23, *agreed to*.

Clause 24, amended, and *agreed to*.

Clauses 25 and 26, *agreed to*.

Clauses 27 and 28, amended, and *agreed to*.

Clause 29, *agreed to*.

Clause 30, amended, and *agreed to*.

Clauses 31—36, *agreed to*.

Clause 37, amended, and *agreed to*.

Clauses 38—42, *agreed to*.

New Clause (35A), *added*.

SCHEDULE *agreed to*.

**XXX PROCEEDINGS:—PARLIAMENTARY AND MUNICIPAL REGISTRATION BILL.**

Preamble of the proposed Consolidated Bill, amended, and *agreed to*.

Question, "That this proposed Consolidated Bill, as amended, be reported to the House as the Consolidation of the Borough Voters Bill and the Parliamentary and Municipal Registration Bill;" put, and *agreed to*.

*Ordered, To Report.*

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**PARLIAMENTARY ELECTORS REGISTRATION BILL.**

*Resolved*, That the Select Committee having incorporated in the Consolidated Bill certain provisions of the Parliamentary Electors Registration Bill, with modifications, have not further considered the said Bill.

*Resolved*, That the Chairman do move the House for leave to make a Special Report as regards the Parliamentary Electors Registration Bill.

Special Report brought up, read a first and second time, and *agreed to*.

Bill to be reported without amendment.

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R E P O R T S

FROM THE

SELECT COMMITTEE

ON

PARLIAMENTARY AND MUNICIPAL  
REGISTRATION BILL;

WITH THE

PROCEEDINGS OF THE COMMITTEE.

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*Ordered, by The House of Commons, to be Printed,  
3 June 1878.*

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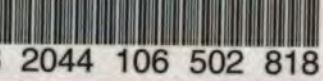












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